

# HOWNIKAN

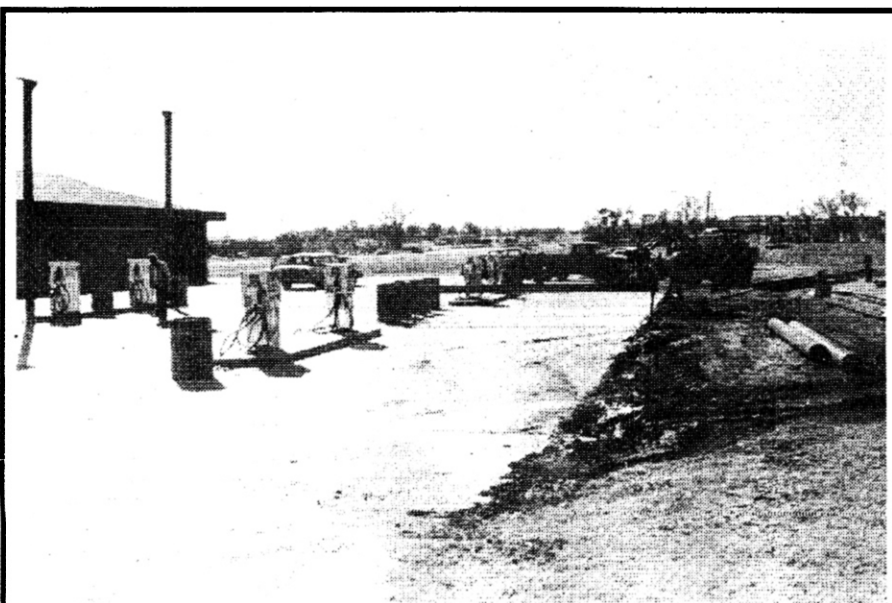
## PEOPLE OF THE FIRE

Vol. 11, No. 10

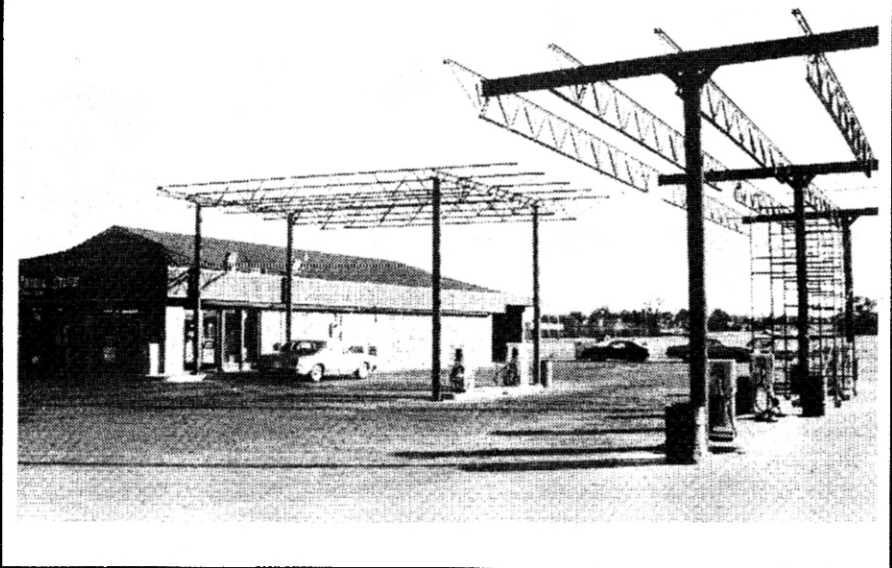
Citizen Band Potawatomi Tribe

November, 1989

## State's cigarette case goes up in smoke



A major renovation project at the Tribal Store is being completed and will prove to be a great convenience to gasoline customers. A canopy is being erected over the gasoline tanks on the west side of the store so that customers will be protected from the elements during bad weather. These two photographs show the progress being made on the project, which should be completed by December. The bottom picture was taken as the project began, with only a couple of support posts in place and materials waiting on the side. The top photograph shows the framework in place. The work is being done by tribal employees, which Enterprises Administrator Bob Davis said is saving the tribe about \$12,000. A complete report on the renovations at the Tribal Store, both inside and outside, will be included in a future issue of the *HowNiKan*.



## Tenth Circuit Court of Appeals sides with Tribe in tax dispute

Efforts by the State of Oklahoma to tax cigarette sales at the Potawatomi Tribal Store were rebuffed this month by the Tenth Circuit Court of Appeals which handed the Tribe victories in every significant aspect of the case.

The appeals court sent the dispute back to federal court in the Western District of Oklahoma with instructions that the district court:

- ✓ Reinstate a permanent injunction prohibiting the state from enforcing or even trying to enforce its tax laws on cigarette sales made on Tribal trust land.
- ✓ Dismiss counterclaims made against the Tribe by the State of Oklahoma.
- ✓ Consider awarding the Tribe costs incurred in the legal action.

In making the ruling, the appeals court again upheld two important principles: (1) That the Potawatomi Tribe enjoys immunity from lawsuits without its consent, and (2) That state taxes may not be imposed on Tribal trust land unless some other arrangements have given the state jurisdiction. Those arrangements do not exist in the case of the Potawatomi Tribe, the court said.

The case began in February, 1987, when the State of Oklahoma launched a general attempt to collect taxes on sales made in Indian Country. The state served an

### Bingo!

*Court order releases  
Bingo Hall profits*

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assessment letter for \$2.7 million on Potawatomi Chairman John A. Barrett Jr., asserting that he was personally liable for taxes Oklahoma said should have been collected on cigarette sales at the Tribal Store. The store is located at the intersection of Hardesty Road and Gordon Cooper Drive in Shawnee across from Firelake Golf Course and the Tribal administration complex.

Attorneys for the Potawatomis went into federal district court seeking an injunction to block the \$2.7 million assessment against

*Continued, page 2*

## It's easier to call your Tribe now

Communicating by telephone with Tribal headquarters in Shawnee should be a lot easier now, thanks to a couple of recent changes.

First of all, of course, is the toll-free telephone number for those of you who live out-of-state. That number, in case you misplaced it, is 1-800-736-6121.

More recently, some personnel changes have been made which should result in better service.

"Changes have been made to improve incoming calls," said Programs Administrator Jim Young. "I've rerouted the system to speed up transfers and eliminate the 'on hold time.'"

He said that the new switchboard operator also happens to be a tribal member.

Anyone experiencing problems with telephone communication should let Young know about them, he said.

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## State told it cannot tax cigarettes sold at Potawatomi Tribal Store

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Barrett. The state then dropped the case against the chairman and proceeded against the Tribe itself. The state won a partial victory at the district court level when it was ruled that the Potawatomi Tribe had no immunity in this instance — a decision the appeals court overturned this month.

The injunction sought by Tribal attorneys is clear and to the point. It would permanently enjoin the state, "their officers, agents, servants, employees, attorneys, and all those in active concern or participation with them from entering plaintiff's Indian Country and from enforcing or attempting to enforce its regulatory and taxing authority to assess a cigarette tax against plaintiff, plaintiff's officers, agents or employees." Although this decision dealt only with cigarette taxes, the principles cited by the appeals court should also apply to other sales.

In its arguments, Oklahoma contended that the Tribal Store was subject to taxation because it is not located in "a dependent Indian community" and even argued that Indian Country does not exist in Oklahoma because of the lack of reservations. The state said Tribal members "have in fact been assimilated into the general community of the state."

The appeals court called that argument irrelevant. "The Tribe does not dispute that its members are citizens of Oklahoma or of other states and have been 'assimilated' into society," the opinion said. "This assimilation, however, does not justify the conclusion that the Tribe has no existence apart from the state or that the Tribe has been assimilated into the state. The Tribe exists

apart from its individual members.

"Moreover, the fact that individual members of an Indian tribe have been 'assimilated' or have become citizens does not change the status of the land held by the United States in trust for the Tribe. It does not transform the land from 'Indian Country' to land totally subject to state jurisdiction."

The court emphatically stated that "because the convenience store is located in Indian Country, the Potawatomis possess sovereign powers with respect to the land and the store."

In its counterclaim, which was rejected by the appeals court, Oklahoma asked the district court to (1) assume jurisdiction over all matters, (2) issue declaratory relief setting for the rights and jurisdiction of the parties, (3) declare that Oklahoma had jurisdiction to tax Potawatomi sales, (4) declare that Oklahoma may enforce its tax laws against the Potawatomi Tribe by way of assessments and injunctions and (5) enjoin the Tribe from selling cigarettes on which no state excise or sales taxes are collected and remitted.

"We conclude that the district court improperly denied the Potawatomis' request to enjoin Oklahoma from collecting state sales tax on the Potawatomis' sale of cigarettes. Accordingly, we remand to the district court for a reinstatement of a permanent injunction on behalf of the Potawatomis," the court wrote.

In the matter of costs, the court cited law which provides that courts may require costs to be borne by the losing party — Oklahoma, in this case — and asked the district court to consider that possibility.

## Energy assistance available for Indians

The Citizen Band Potawatomi Employment and Training Department is currently taking applications for the Low Income Home Energy Assistance Program (LIHEAP).

The LIHEAP program is designed to assist Native Americans with their heating bills by paying their primary source of heating cost. LIHEAP is funded by the U.S. Department of Health and Human Services and the Office of Family Assistance.

LIHEAP provides energy assistance through payment of electric, natural gas, wood (wood burning stoves) and propane. The amount of assistance for primary source of heating varies with each household depending on its size and income (not to exceed the 110% level of the Federal Poverty Income guideline). Priority is given to the elderly and/or disabled. The requirements are as follows:

1) Provide proof of Indian blood;

membership with a federally recognized Indian Tribe.

2) Provide proof of previous twelve (12) months income.

3) Be a resident of Pottawatomie County.

For more information about the LIHEAP program, contact the Citizen Band Potawatomi Tribe, Employment and Training Department, located at the Administration Complex, 1901 S. Gordon Cooper Drive in Shawnee.

## Aging job is open

A job is open through the Indian Council on Aging program for the elderly, Joyce Abel announced recently.

She said the job is for four hours a day at \$3.35 per hour, five days a week (Monday through Friday). Applicants must be Indian, 55 years of age or older and income eligible.

Those interested should contact Linda Poe at Tribal headquarters, 275-3121, Ext. 240.

## Staff Member of the Month



Carolyn Sullivan: Tribal Finance Director

## Carolyn Sullivan knows the Tribe is big business

Her desk is covered with computer print-outs, bank statements, and government forms relating to the multitude of audits and reports necessary to the operation of a big business.

But Carolyn Sullivan is undaunted by the pile of paperwork. "I love accounting," she grins. It's a good thing, since she is Director of Finance for the Citizen Band Potawatomi Tribe — which is a big business.

Carolyn came to work for the tribe in April of 1987 with more than twenty years experience in accounting. She had worked with manufacturing firms, sales offices and in the oil field for General American Oil and then Phillips Petroleum, which purchased it. "That was a really interesting job," she said in an interview. "I spent part of the day working as secretary for our lobbyist and the rest of the day doing accounting. There were a lot of numbers, and I learned a lot about politics too."

But then T. Boone Pickens made a run on Phillips and the company decided to consolidate all its operations in Bartlesville (she had been working in their Oklahoma City office). She decided to call it a day with Phillips. It wasn't long before she learned of an opening at the Tribe.

"I had never done government and budget accounting before," she said. "It was very new, and you're not taught much about it in school." Carolyn is a few hours short of an associate degree and has completed numerous special training courses in computers, taxes and other areas. "It was totally different, but it has really been interesting," she said. "I really like working here. I haven't ever been bored like I was in other jobs."

A petite blonde, Carolyn turned 50 last summer and recently celebrated the first anniversary of her marriage to Charles Sullivan. Between them, the Sullivans have six children. Carolyn's are daughter Lynn, a 28-year-old dancer living in Los Angeles, and Greg, a 31-year-old Oklahoma City attorney. Carolyn has one grandchild, Paige, almost 2, the daughter of Mike and his wife.

When she's not in the office, Carolyn is usually on the golf course. She took up the sport just a couple of years ago when she met Charlie. Although this was only her third summer to play, she won two of five tournaments she entered. But she still can't beat Charlie, even though he's been playing in a leg brace for several months because of an accident. She freely admits that they spend most of their free time on the links.

"I'd rather golf than anything," she said. "I hate it when daylight savings time ends!" But there were only two weekend days last winter when they didn't play, she claims. "We have a covered cart, and it's never too cold." If she has to stay in, Carolyn enjoys crocheting and dancing.

She didn't say whether having a golf course next door was one reason she took the job with the Tribe, but it's apparent she enjoys what she is doing and loves being a part of the Tribe. Working under Business Committee Member Dr. Francis Levier while he was Tribal Administrator taught her a lot. "I learned a lot about the tribe and its history from Francis," she said.

And she's fought for the Tribe. "I've defended its position so many times on bingo and sales tax ... I think it may be more important to me than it is to many Tribal members ... "I almost feel like I'm a member of this Tribe."

*"Before anything is purchased, five people have to sign off on it and two people have to sign the check. It's a good protection for us and for the Tribe. Everything is really secure. No one's going to sneak a check out of here — it's impossible to do."*

# Proper accounting

**Keeping up with the \$10-million-plus Tribal financial operation is a big job for four people ... These four do it so well they won a coveted national award.**



The winners with their award! Left to right, Enterprises Administrator Bob Davis, Finance Director Carolyn Sullivan, Becky Carter, Deanna Hembree, Susan Reinish and Programs Administrator Jim Young.

Four women are responsible for accounting for the \$10 million-plus operation of the Citizen Band Potawatomi Tribe, and they do it so well that they won an award this year.

Those four women make up the Tribe's accounting department, which must properly record and report the many thousands of dollars handled by the Tribe each year. They are Carolyn Sullivan, Director of Finance; Susan Reinish, Director of Enterprise Accounting; and accountants Becky Carter and Deanna Hembree. The first three came to work at the tribe about the same time; Dee came about a year ago.

"We handle 70 funds among the four of us," Sullivan said. "Some are very small and insignificant but are still audited. Others are quite large." That includes funds set up for the various federal programs administered by the tribe as well as the funds for the tribe's own enterprises, such as the store, golf course, museum and gift shop and the bingo hall.

A big job greeted Sullivan when she came to work at the tribe in April of 1987. Carter and Reinish came soon afterward. "When I first came, we were under constant audit for over a year," Sullivan said. "They were finishing the 1986 audit ... I was scared to death to take off even a day at first. But we all got acquainted with all the funds before we worked out a system. It made us a lot closer because we went through all that together."

"And now we can cover for each other if someone is out," added Carter. "Vacations are not as critical." When they're all there, Becky and Dee handle the accounting of the federal programs, Susan the enterprises and Carolyn takes care of the general fund, insurance, payroll and some other things.

"The nicest part is that we all get along great," Sullivan said. "We've never had any personal conflicts. And we've kind of segregated ourselves and don't get involved with other departments, except those who supervise us."

Their hard work and expertise in handling the Tribe's accounting earned them a prestigious award this year. On Sept. 15, they learned that their comprehensive annual financial report for Fiscal Year 1988 had been awarded a Certificate of Achievement for Excellence in Financial Reporting. The award is presented by the Government Finance Officers Association and is considered the highest form of recognition in governmental accounting and financial reporting. A letter from the association's assistant director, Frederick G. Lantz, said that the award "represents a significant accom-

## Certificate of Achievement for Excellence in Financial Reporting

Presented to

**Citizen Band Potawatomi  
Indians of Oklahoma**

For its Comprehensive Annual  
Financial Report  
for the Fiscal Year Ended  
September 30, 1988

A Certificate of Achievement for Excellence in Financial Reporting is presented by the Government Finance Officers Association of the United States and Canada to government units and public employee retirement systems whose comprehensive annual financial reports (CAFR's) achieve the highest standards in government accounting and financial reporting.



*[Signature]*  
President

*[Signature]*  
Executive Director

plishment by a government and its management."

The women are justifiably proud of that award, which they came close to winning the year before. A handsome plaque now hangs in an office cluttered with computers, printouts, report forms and mountains of paperwork. The department must file reports for all the federal programs, which now include the new functions the Tribe took over from the Bureau of Indian Affairs (BIA), including Indian Health Service, the Department of Labor, the U.S. Dept. of Agriculture and more.

There are also current financial reports done every month for the Business Committee, and other federal reports which must be done quarterly. And

of course they must provide information for the auditors who come to check on the federal programs, as well as the accounting firm employed by the Tribe, which spend several weeks each year auditing the entire operation.

This big job keeps getting bigger. Reinish, who is a Certified Public Accountant (CPA), has had to keep up with what Sullivan calls "astounding growth" in the Tribal enterprises. "It's all increased," Sullivan said. "It's about doubled since 1987." And tighter controls have been instituted on the enterprise operations, which means more work for the accounting department.

"There are daily reports on that day's business (at the store, etc.)," Reinish explained. "And they're not done by the person who handled the cash. Then that report is checked over here. If there's a major shortage — over \$10 — we check on it." That new procedure was instituted by the staff with the auditors' approval, she said.

On top of that, the Tribe will begin handling its own health insurance claims January 1. "We've been self-insured but have been hiring a third party company to manage it," Sullivan explained. She said that handling the claims in-house will "be a big plus" but also presents a new challenge. She has been going to Oklahoma City one day a week to learn how to handle the insurance situation.

What kind of questions do they get from tribal members? Not very many at all, they say. "Some of them think we deal in cash and we don't," laughed Carter. "That's right," said Sullivan. "We keep \$123 in petty cash." Why \$123? Nobody's sure; that's just the amount that has always been kept. The enterprises deposit their money daily in the bank — twice daily in the case of the store.

And the accounting department can't just write a check for anyone, any time. "Before anything is purchased," Sullivan explained, "five people have to sign off on it and two people have to sign the check. It's a good protection for us and for the Tribe. Everything is really secure. No one's going to sneak a check out of here — it's impossible to do." Security also includes the computers; the data on them is "backed up" daily.

Those precautions and controls, in addition to the efficiency of the accounting staff, keep the wheels of the Tribe's business turning smoothly and now have earned them national recognition for their efforts. But more importantly, they care about what they do.

"We all feel total responsibility for these funds," Sullivan said. That's the bottom line.





# Letter from the chairman

*Msen A Ken Eh Na Ka Nit*

Bourzho Niconi (Hello, my friends),

The Senate Select Committee on Indian Affairs of the United States Congress has issued a report that confirms what we have all been telling the government — and each other — for years: Native Americans and tribal governments have

been victimized by the fraud, mismanagement, and waste of the federal bureaucracy for generations.

The committee recommends that Indian Tribes institute governmental reforms by adopting written constitutions and adhering to federal laws relating to corruption and the guarantee of fair elections. The reward would be federal grants similar to those received by states.

This "carrot and stick" approach is incredible in light of the three-year fight with the Bureau of Indian Affairs to get our constitution changed to accomplish the very things they now insist all tribes should have — an independent

election board, strict conflict-of-interest laws, and fair removal procedures for corrupt tribal officials.

I can only hope the United States Congress is aware of the almost-overwhelming obstacles placed in front of a tribe which tries to change its form of government. We had to hire expensive Washington lawyers to fight, and finally threaten to sue, the Bureau of Indian Affairs before the BIA would even begin to work on our constitutional change. It sat on some bureaucrat's desk for seven months before it was shuffled back and forth between Washington and Anadarko, Oklahoma, for a year.

Even after we had the election to change our constitution, it took three months for the election to be "certified" by the BIA.

Most tribes want better government, but most do not have the resources to force the bureaucracy to act. Once more, the Potawatomi Tribe is ahead of the government both in concept and substance.

Megwetch (thank you),

*John Barrett*  
John Barrett

## What issues should Indian Legal Services address?

### Hownikan:

The Oklahoma Indian Legal Services (OILS) Board of Directors decides which type of Indian law issues will be handled by OILS each year. The Board of Directors will make a decision in January, and is interested in hearing the ideas of the Indian Community before designating its case priorities for 1990. We need your help to better serve you, the Indian Community members.

All Indian clients, potential clients, and members of the Indian community are invited to complete the following survey, clip it out, and send it to the address below. Please note that OILS handles only Indian status related cases, and that Legal Aid of Western Oklahoma and Legal Services of Eastern Oklahoma handle other types of cases for low income Indians.

Your Tribe: \_\_\_\_\_

County of Residence: \_\_\_\_\_

PLEASE MARK THE TEN LEGAL AREAS WHICH YOU BELIEVE OILS SHOULD BE HANDLING IN 1990. PLEASE RANK THE 10 ITEMS (Place a #1 beside the item you think is most important, a #2 for the next important, etc.) PLEASE READ THE WHOLE LIST ONCE BEFORE YOU START CHECKING ITEMS. (CHECK ONLY 10 ITEMS):

- ☐ LAND: Restricted and trust land problems re: oil and gas.
- ☐ LAND: Restricted and trust land problems, including mineral rights
- ☐ LAND: Probates and heirship cases in state court or before an administrative law judge (where someone who owned restricted or trust Indian land has died)
- ☐ LAND: Hunting and fishing rights
- ☐ LAND: Water rights
- ☐ LAND: Other problems:
- ☐ CHILD CUSTODY: State (DHS OR DA) removes child from family, and files a case in state court.
- ☐ CHILD CUSTODY: Nonparent tries to take child.
- ☐ CHILD CUSTODY: Adoptions
- ☐ CHILD CUSTODY: Grandparent visitation
- ☐ CHILD CUSTODY: Child was given to nonparent temporarily, and person refuses to return child.
- ☐ CHILD CUSTODY: Other problems:
- ☐ TRIBAL SOVEREIGNTY: Tribe needs assistance in developing tribal

codes or other governmental matters.

- ☐ TRIBAL SOVEREIGNTY: Some type of court action in tribal, state, or federal court raise a question as to who (state, tribe or federal government) has legal authority over that case.
- ☐ TRIBAL SOVEREIGNTY: Case in which the state is trying to make Indian person do something where the state doesn't have legal authority over that person.
- ☐ TRIBAL SOVEREIGNTY: Other problems:
- ☐ INDIAN HOUSING: Housing authority s trying to make a MHO homebuyer move, because behind in payments, or for other reasons.
- ☐ INDIAN HOUSING: MHO homebuyer needs rights protected (example: homebuyer doesn't have running water in home, house floods, electrical problems, etc.)
- ☐ INDIAN HOUSING: Other problems:
- ☐ INDIVIDUAL RIGHTS: Tribal enrollment problems
- ☐ INDIVIDUAL RIGHTS: Indian religion issues
- ☐ INDIVIDUAL RIGHTS: Federal or state assistance problems where Indian trust assets are considered for eligibility (social security, public assistance, etc.)
- ☐ INDIVIDUAL RIGHTS: Indian Educational problems
- ☐ INDIVIDUAL RIGHTS: Tribal or Indian Health Service problems
- ☐ INDIVIDUAL RIGHTS: Indian Civil Rights Act problems
- ☐ INDIVIDUAL RIGHTS: Other problems:
- ☐ OTHER PROBLEMS: \_\_\_\_\_

RETURN DEADLINE: January 10, 1990

Cut out and send to:

Kris Harjo  
Oklahoma Indian Legal Service, Inc.  
3033 N. Walnut, Suite 103W  
Oklahoma City, OK 73105





## In your opinion ...

### He says Tribe should consider burial benefits

HowNiKan,

The way some tribal members carry on about a per-capita payment is somewhat discouraging.

The tribe as a whole, owes no one tribal member anything but respect for one another. There may be some isolated cases that should not be generalized.

Our members total approximately 15 thousand as of this date and still growing.

Now, thinking projectedly, it figures to require a great deal of precious time before a one-hundred dollar allocation can be distributed with a great deal of expense to the tribal group.

I have spoken with several members and they agree to some type of burial fund instead of the per capita. This, I see, benefits all members in the end.

This proposal, which I am led to understand is in the mill at the tribal administration complex. This is an undertaking that requires a great deal of sharp and practical investment, to work off the interest.

Perhaps, a family discussion would help in the pros and cons of this endeavor.

I, myself am now paying \$28.79 per month for my burial insurance and at this point in time, I have all my arrangements made with the Mercer Funeral Home in Holton, Kansas and burial in the Shipshew Cemetery.

A burial fund plan would certainly alleviate many potential hardships. One never knows when he may be called to rest. Age is really not a factor when the Grim Reaper needs to fill his

quota. With this plan, one needs not to sell or mortgage his home and other property to satisfy that expense. Remember, when you pray, you are talking to God. When you meditate, you are listening. That makes good sense.

Tony Levier

### Word of thanks for her glasses

HowNiKan,

I would just like to take the time to thank you for your help in getting my glasses. Things are pretty bad with my daughter's illness of rheumatoid arthritis. The money really helped me out a lot. Without it I probably would not be able to get my glasses.

Thank you so very much.

Sincerely,

Brenda Cumberland Macon  
Angleton, Texas Her mother

### was pictured in HowNiKan

HowNiKan,

In the vol. 11, No. 8, September, 1989 issue of HowNiKan, when I opened the paper to page 5, I said, "There's my mother, and Aunt Cara Kelly." Gregson I do not remember too well; also the letter from Helen C. Depel and Alvin Gregson.

I am the eldest daughter of Mottie Griffin Cook. We visited the cemetery in Wanette the summer of 1988.

There are three of Mottie Cook's children living. Thelma Cook Richardson of Snyder, Okla., Kenneth W. Cook of Midwest City, and myself, Mozelle Cook Knowles of Mustang, Okla. Our Brother Hugh W. died in November, 1963.

I enjoy HowNiKan very much. For years I just took all these things for granted; including our Indian Heritage.

My daughter, Sue Turner, lives in Buckeye, Ariz., and we've gone to the Potawatomi Council Meetings the last two years, where I've received the prize for being the oldest Potawatomi present. And I plan to be in Arizona again in February and March.

Enjoy the HowNiKan and am enclosing a check.

Sincerely,

Mozelle Cook Knowles  
Mustang, Okla.

### Thanks for help in obtaining facts on family

HowNiKan,

My brother Gregory Kime and myself Clayton H. Kime, II & boys want to thank all of you for the help you gave us in getting information on our Grandfather Henry Clay Kime.

It made us feel a little closer to our roots.

Thank you again,

Clayton Kime II  
Gregory Kime  
Williams, Ore.

### Can anyone help her trace the Bergerons?

HowNiKan,

In the May, 1989 issue of the HowNiKan, on page 17, you ran an article on the Melot family. My maiden name was Barshaw—changed from Bergeron by my great grandparents, Alice Neddeau Bergeron Barshaw (#140 in the 1887 Tribal Rolls) and Charles Bergeron Barshaw (#285 in the 1887 Tribal Rolls - I think this is the right Charles Bergeron).

Do you know of anyone that might be able to help me trace the Bergeron

(Barshaw) side of my family. I would greatly appreciate any help anyone can give.

My name and address is:

Kathie Miller  
464 Blossom Lane  
Hollister, CA 95023

I am interested in pursuing the Indian history on the other side of my family (Comanche). Since I am a beginner in this type of thing any advise I get on how to go about this would be a great help.

I received my latest issue of the newspaper yesterday. My whole family enjoys reading it from front to back and has learned a lot about their history and many other things. Keep up the good work.

Thank you for any assistance you may be able to give me.

Sincerely,

Kathie Barshaw Miller  
San Jose, Calif.

### She's received her Tribal card

HowNiKan,

I have just received my tribal member card and all the information along with it. Thank you for the information. And I enjoyed the newspaper.

Thank you very much.

Sincerely,

Carla Macon  
Baytown, Texas

### Thanks come from California

HowNiKan,

Thank you for the paper. We enjoy reading all the things you are doing.

Thank you,

William H. Lambert  
Visalia, Calif.

## Court orders bingo money returned to Tribe

One of the longest running legal battles in Potawatomi history ended in Oklahoma City on Nov. 7 when United States District Judge Wayne Alley signed a brief order distributing a year's worth of bingo profits to the Tribe.

The order, which was little more than one page in length, also freed the Tribe of the obligation of depositing with the court clerk profits from the Tribal Bingo Hall on Hardesty Road in Shawnee.

The order came as a result of a Tenth Circuit Court of Appeals ruling which handed the Tribe two major victories in its running battle with Enterprise Management Consultants Inc. (EMCI), the firm which operated the bingo hall until the Tribe took physical possession of the property in August, 1988. At that time EMCI obtained an injunction from U.S. District Judge Luther Bohanon and briefly regained control of the hall. The Tribe appealed and on Sept. 2, 1988, Tenth Circuit

Chief Judge William Holloway entered an emergency order returning the hall to the Tribe but requiring that profits be deposited with the court clerk pending appeal.

On August 26, 1989, the Tenth Circuit ruled in favor of the Tribe, dissolving Bohanon's injunction and dismissing an EMCI suit against the Tribe and the Bureau of Indian Affairs over the BIA's refusal to approve the 1985 agreement which turned the hall over to the EMCI.

Alley's brief order returned more than \$100,000 to the Tribe. It said, in full:

"This matter comes before the court upon the application as amended of plaintiff, the United States of America, ex rel. The Citizen Band Potawatomi Indian Tribe of Oklahoma, for an order that all funds now on deposit with the registry of the court in the above-referenced case be disbursed to plaintiff. Being satisfied that the September 1, 1988, injunction

entered in this case has been vacated on appeal, that mandate has issued in said appeal, and being otherwise fully advised in the premises, the application is granted.

"The Financial Deputy Court Clerk is hereby directed to distribute to the Citizen Band Potawatomi Indian Tribe of Oklahoma all principal and accumulated interest now on deposit with the registry in this case.

"Because the service in this case was on behalf of the United States, this disbursement is exempt from the registry fee.

"It is so ordered."

Although the case over control of the bingo hall has been decided and the money has been returned to the Tribe, one companion suit is still alive. In that action, the Tribe is seeking to recover from John Clark Caldwell III and Leroy Wheeler money they received from the hall because they were controlling EMCI.



## Halloween hilarity

Older Tribal members in the elderly nutrition program got into the spirit of Halloween in a big way for the Oct. 31 lunch. Lots of folks, like Ara Mae Curtis and Edith O'Bright in the photo on top, dressed up for the costume contest, which was won by Guy Loftis and Pearl Rolette, pictured below. They won \$5 each. The day's activities also included a cake walk and bake sale, which raised \$95 for the program's special projects and activities. A total of 77 people are enrolled in the elderly nutrition program, according to director Linda Poe, and most come to Tribal headquarters every day for lunch.



## POTAWATOMI WORD LIST

**agmosét vai** walk in snowshoes. *pres.*

**ndagmosé** (H)

**ahaw ij** OK. (H)

**amo na** bee. *pl.* **amoyek\*** (W)

**anwe av** in spite of things. *Iw je anwe.*

*I'm OK.* (W)

**azhgas ni** small bridge. *pl.* **azhgasen\*** (W)

**azhgen ni** bridge. *pl.* **azhgenen\*** (W)

**bba-winabogdagét vai** go around dirtying water. *pres.* **nde-bba-winabogdagé,**

**nbeba-winabogdagé** (H)

**bbekwések vti** be loose. *pres.* **bbekwésen\*** (H)

**bbeshk- pn** bald, hairless. **bbeshk-m'wé**

*'lion'* (H)

**bbeshk-m'wé ni** lion. (H)

**bbetot vai** run somewhere. *pres.* **nbebtó**

(H)

**bdegdek vti** be somewhere. *pres.* **bdegde**

(H)

**bebgeshek vai** pitch and fall. *pres.*

**nbebgeshen\*** (H)

**bégodé ni** maple sugar taffy. *pl.*

**bégodéyen\*** (W)

**bémadzet na** person. *pl.* **bémadzejek\*** (W)

**bgan ni** nut. *pl.* **bganen\*** (W)

**ndé' ni** my heart. (W)

**dé'men ni** strawberry. *pl.* **dé'menen** (H)

**ndep ni** my head. *loc.* **ndebek\*** (W)

**déb- pu** get to, succeed in. **Ndéb-nsa.** 'I get to kill him.' (H)

**dedbejéwébnat vta** roll s.t. (*an.*). *pres.*

**nde-dedbejéwébnat\*** (H)

**dedbejéwébnak vti** roll s.t. *pres.* **nde-**

**dedbejéwébnan\*** (H)

**déwé'gen ni** drum. *pl.* **déwé'genen\*** (W)

**déwé'gét vai** pound on things. *pres.*

**ndéwé'gé\*** (W)

**dgosek vti** be put with something. *pres.*

**dgosen\*** (H)

**didis na** bluejay. *pl.* **didisek\*** (W)

**dkaboyak vti** be cold *liquid.* *pres.* **dkaboya**

(H)

**dkobdek vti** be tied. *pres.* **dkobde** (H)

**gé av** also. **Gé nin.** Me, too. (W)

**gého ni** something. **jo gého** nothing. (W)

**ggadzet vai** be rich. *pres.* **ngegades, nde-**

**ggades\*** (H)

**ggan'gadat vai** be long legged. *pres.*

**ngegan'gada\*, ggan'gadé\*** (H)

**ggengo'wat vta** bury s.o. with something

*pres.* **ngegnego'wa, nde-ggengo'wa\*** (H)

**ggeshkek vti** have s.t. *pres.* **ngeshkan,**

**nde-ggeshkan\*** (H)

**ggo- pu** quickly. **Ngego-nsa.** 'I kill him

quickly.' (H)

**gigos na** fish. *pl.* **gigozek** (W)

**gigoskét vai** catch fish. *pres.* **ngigoské** (H)

**gin na** you. (W)

**ginan na** we, us *incl.* (W)

**gishkbojgen ni** crosscut saw. *pl.*

**gishkbojgenen\*** (W)

**gishpen av** if. (W)

**jigwé ni** thunder. (H)

**jigwémyéw ni** rainbow. *pl.* **jigwémyéwén**

(H)

**jiman ni** boat. *loc.* **jimanek,** *poss.*

**njimanem,** *poss. pret.* **njimanmben**

(H),(W)



# Report seeks new independence for tribes

A long-awaited Senate report proposed "a new federalism" for Indian tribes that would end the "paternalistic" control which it said the federal government has imposed for more than a century.

The 238-page report, issued Nov. 17 by the Senate Indian Affairs subcommittee on investigations, harshly criticized the government for creating "a federal bureaucracy ensnared in red tape and riddled with fraud, mismanagement and waste."

The report continued:

"Worse, the committee found that federal officials in every agency knew of the abuses but did little or nothing to stop them."

The report recommended that Native Americans be given the right to govern themselves and that the "new federalism" plan transfer directly to the tribes much of the \$3.3 billion now being spent on Indian programs.

Tribes that participate in a voluntary program of "self-determination" would receive federal grants in much the same way grants are now distributed to states and cities, the report recommended. To qualify, the tribes would have to adopt written constitutions and adhere to federal laws prohibiting corruption and guaranteeing fair elections. The Citizen Band Potawatomi Tribe already has a written constitution and fair election laws, noted Chairman John A. Barrett Jr. He said the tribe ought to be able to qualify quickly if the new plan is implemented.

Under the proposal, the report said, "government funds that are now drained by fraud, corruption and duplicative layers of bureaucracy will be targeted directly to the

Indian people who for so long they have failed to reach."

The report cited dozens of allegations against government agencies, including the Bureau of Indian Affairs, private companies and tribal officials. The allegations, which ranged from organized crime to graft and sexual abuse, were collected by investigators over a two-year period.

Sen. Dennis DeConcini, D-Ariz., chairman of the special panel, said

legislation to implement the subcommittee's recommendations will be introduced next year.

"It'll take a long time to adopt it," said DeConcini, acknowledging that there are "some tribes which are not ready today" to handle their own affairs. Some tribes, he said, may never be ready.

Although the BIA was one of the government agencies singled out for harsh criticism in the report, officials there declined to criticize the

subcommittee and even pledge to cooperate closely with it. "We have not waited for the committee report to institute improvements," was a comment made by Frank Bracken the department's undersecretary.

Eddie Brown, who is assistant secretary for Indian Affairs, said tribes already are moving toward self-determination. "There are many, many positive things happening in tribal government," was his comment.



The office of environmental Health Service Branch and the Sanitation Facilities Construction Branch recently celebrated 30 years of service. The agencies are designed to assist Indian families and communities in implementing a comprehensive environmental health program by identifying and correcting conditions which are detrimental. Environmental Health staffers stationed at the Shawnee Indian Health Center are, seated, left to right, Bat Shunatona, engineer, and June Hamilton, clerk-typist. Standing, left to right, are Jack Austin, sanitarian, Rocky Lamey, construction inspector, and Glen Kernell, administrative assistant. Not pictured is Don Keel, environmental health technician.

## Program aims at curbing substance abuse

A new educational program on substance abuse, aimed at kindergarten through third graders, is beginning its second year in the area.

Called BABES (Beginning Alcohol & Addiction Basic Education Studies), the preventive program is headquartered at the Citizen Band Potawatomi tribal headquarters and is funded through the Indian Health Service. And not only is it inter-tribal, it is offered to all school children in the area.

"We use puppets to tell stories to the children," said Donette Littlehead, who with the help of Ruth Jenks of the Absentee Shawnee Tribe, presents the program in schools. The stories talk about making good decisions, peer pressure, alcohol and substance abuse, how to deal with family members with substance abuse problems and where to go to get help.

"The last story is about child

abuse," Littlehead said. "It tells them about what to do if someone touches them in the wrong place." She said the program began its second year with a presentation at Pleasant Grove School Sept. 5. She has presented it at Bethel, where the staff was so impressed they sent three teachers to be certified in the program.

The program lasts seven weeks, with one story presented each week in a half-day session. Last year the program was presented at Earlsboro, Sequoyah in Shawnee, Little Axe and South Rock Creek, and a special summer school was presented at the Central Tribes of the Shawnee Area (CTSA). At the summer school, which was held

July 17-Aug. 4, were 33 Indian children. In addition to hearing the stories, they had games, arts and crafts, and a trip to the zoo. Another summer school is planned next year.

But in the meantime, "Our goal is to visit all area schools," Littlehead said. Anyone who would like more information should call her at 275-3121, ext. 207.

## Regional Council schedule

No Regional Councils will be held until after the holiday season. The next Regional Council Meeting will be held in Tulsa on Jan. 28. The Jan. 6 date first set up for the tribe's first Regional Council in the East, planned for Orlando, Fla., is no longer operable. Programs Administrator Jim

Young said advance notice requirements during the upcoming holiday season have made it necessary to postpone that trip and reschedule it for sometime later in the spring.

### REVISED REGIONAL COUNCIL SCHEDULE

Tulsa ..... Sunday, Jan. 28  
Phoenix ..... Saturday, Feb. 24  
Kansas City ..... Sunday, March 25  
Long Beach ..... Saturday, April 21  
Houston ..... Sunday, May 6

# Wah-bahn-se: Warrior chief of the Potawatomis

*"The Life of Wah-bahn-se: The Warrior Chief of the Pottawatamies-*

*By J. N. Bourassa, a Pottawatamie"*

Under the above heading the biography of the celebrated chief Wabaunsee, was published in the Kansas City (MO.) Enterprise of March 14, and 21, 1857. The account was said to be an extract from the author's "Book of Indian Customs, habits &c," which would be "issued by the Harpers early in the summer." No evidence of book publications has been found.

Of the biographer, the Enterprise stated: "Mr. Joseph Napoleon Bourassa ... is an educated Pottawatamie Indian. He began his education at the Carey Mission (in Michigan) under the general superintendence of Mr. Isaac McCoy and Dr. Johnston Lykins. From this mission school he was transferred to Hamilton College, N. Y., and from thence he was removed to a Kentucky Institute to study law; the expenses of his legal studies being defrayed by the government."

Joseph N. and his brother Jude W., the most prominent of the Bourassas, were comfortably settled in Kansas in the 1850's. Jude, also educated, had charge of the Pottawatamies, water-power mill. His home was near the mouth of Mill creek, in Wabaunsee county. Joseph lived nearer the Pottawatamies' trading post Union Town in Shawnee county. A tourist who visited the brothers in 1854 wrote that they were half-French; that Joseph, a single man, was "the more intellectual," and Jude "much the more wealthy."

Chief Wabaunsee never lived in Kansas, but his name is perpetuated in that state in a county, township, village, and lake.

WAH-BAHN-SE was born in Terre Coupe, Indiana, in about 1747, and died in 1846. The father of this great man was a brave by the name of Wahbshkum, and his mother was called Mah-jues. These two persons by their connection had three children, viz: Black Pheasant, and Nah-k-ses, (or Wahbahn-se,) being the youngest. Mka-da-puk-ke, alias Black Pheasant, the elder brother of the subject of our biography, became a very celebrated and distinguished leader of war parties, and Wah-bahn-se often accompanied him.

Wah-bahn-se was raised in the strictest pure Indian manners and customs by his parents, as his demeanor and appearance promised much to his anxious parents, and no pains were spared in watching the youth's life, examining him very closely in his dreams.

He was early trained to the use of the cold bath, that is, swimming or bathing, both in winter as well as in summer. This practice is severe but healthy and bracing to the constitution of man, and deemed by our nation of the same effect as that of fasting. He also practiced fasting while engaged in the chase, and was remarkable, while quite young, for his celebrity and hardihood, soon gaining the applause of being a famous hunter.

In person he was tall and straight, being six feet and an inch in height. He was rather given to silence, spoke but seldom, though not ill-natured, social than otherwise; rarely associated with young people in their games and plays, but he was one of the foremost in their sham fights of small bows and grass arrows, in which he manifested great coolness, daring perseverance, and dexterity. He was extremely sober; it would be only on extraordinary occasions that he would be seen enjoying the Bacchanalian pleasures.

It was soon known that he was brave to desperation, by his joining war parties when as yet quite young, though much was said to dissuade and deter him from his design of attending belligerent parties; but neither entreaties nor threatenings would turn



Wah-bahn-se (Wabaunsee) - 1760s (?) - 1845(?)

him from his purpose. On urging the matter too closely he would only answer, "I am as much of a man as those who are going," and that was bringing everything to a close, and parents and friends could hope for no more satisfaction.

It was with the collegued powers of the Chipewas, Ottawas, and Pattawatamies, Sacs and Foxes, Kickapoos, Delawares, Shawnees, Menomonees, and several other tribes, he was first initiated into the ranks of the braves.

The above general march against the Peorias, Weas, and Piankashaws, who then were very numerous and powerful in arms, who had been guilty of national heinous and atrocious crimes and offences-the above league, in which our hero is included, after long consultation and mature deliberations, decided to extinguish from off the face of the earth these sinning tribes; to put out their fire, which means to exterminate the whole tribe or tribes.

At the time of the council, having appointed the place of rendezvous, all met at the day and place, and immediately marched against the said doomed tribes, and surrounded their towns and villages, and massacred without any regard to sex and age. The catastrophe of these guilty tribes was unaccountable and shocking, and in short time the infuriated warrior could hardly find whereon to vent his unsatiated war club, for like all fallen braves, before a wind-carried fire, were this people disappearing before the unerring blow of the savage war axe. Seeing no alternative, they begged quarters, and prayed to be spewed or vomited barely for the purpose of handling down their once great name or ancient greatness to coming generations. The savage arm rested, and a voice echoed they were spared. As Page-go-shug, one of our chiefs, observed not long since saying, look at them (talking of the Peorias, etc.) now they are but a handful, when once the earth appeared too small for them, but by their pride, folly, and crime, they have destroyed themselves-hence from that crisis they have called themselves our little brothers.

In this massacre Nah-k-ses, showed himself a very active warrior and daring brave.

Our hero marched against the Osages three

times, always bringing scalps and prisoners. On one expedition he captured forty Osage prisoners. Black Pheasant marched from Terre Coupe, Indiana, against the Osages, then residing on the west of Missouri, as leader of the war party, in which Nah-k-ses was one of the first enlisted, for now the Osages had become the common enemy, for like offense of the Peorias, etc., and they moved from the east side of the Mississippi to the western banks of the Missouri, eventually villaged themselves on the tributaries of the latter river, now called by Big and Little Osages, named after the tribes which were then divided into two great parties or bands, which is still the case to this day.

From this time Nah-k-ses out-dared his brother, Black Pheasant and in fact all that were in the party, in which were two great braves, Shaw-ba-na and Page-go-shug. Soon after this unparalleled transaction or feat of bravery, he began as leader of war parties himself.

It is at this time that he entered a fort by the port-hole in the dead of night. His brother was the leader, and after a war council, they were about to return home in despair, they having so agreed but one man, and Nah-k-ses was the man, and demurred against the decision. He told them they were braves and their decision was derogatory to the title, and added, "I am the only brave man here. To-night I will enter the fort," (for they said the Osages' retreat or hiding place is inaccessible.)

This fort was kept by a trader named Pierre Chouteau, in which the Osages had taken safe quarters. They were permitted entrance from the fact that it was rumored that some war parties were out from the North. The night came, the drum was heard and singing and dancing inside the fort. They feared no foe, for they knew the gate was closed and barred.

Each man of the party looked sad and disappointed, as they saw no hopes of returning home after such a long route with the laurels of honor, scalps and prisoners. About 10 o'clock the silence was broken by our warrior jumping upon his feet. He said "leeh," an exclamation meaning now, "I will get a scalp or an Osage!" His brother and others tried to dissuade him, but all in vain. At last his brother told him "I will go with you." So saying, they left their day retreat or hiding, Nah-k-ses with only his carbine in hand and his tomahawk in his belt, away toward the fort which was near by, they made still or spirit like steps. But the night being very dark it was some time before he could find the port hole-having left his brother, Black Pheasant about twenty paces from the fort.

Our night hero, now at the fort, made up his mind to leave his carbine at the hole and enter only with his tomahawk on him. It was with some trouble he crawled through. He made for the first cabin, which he thought was a kitchen, for it was pretty well provided with cooking utensils. Here he found a great many Osages sleeping. He lit a torch and looked around. He found what he supposed to be the monster Osage who was represented as having horns. He made a pass at him, but missed his blow; the next pass was parried off by the horned monster with his Buffalo robe, and every time he struck him he bellowed like a Buffalo, from which animal he made his people believe he was derived or came.

At last he made such a noise that nearly all in the house were awake and crying aloud when they saw their chief and king his head covered with blood.

Here our hero was pushed and shoved by his half-awake enemies, until at last he took a scalp and retreated to his port hole, where he narrowly escaped while in the act of creeping out-some brushed his feet. Our hero was troubled with two or three

*Continued, next page*



# Wah-bahn-se — Continued from previous page

ideas when he first entered the house. At first he thought he would steal a boy about twelve years old, but he was afraid he would make a noise and thus prevent his escaping from the fort. It being so dark it was as much as he could do to find his way out, and so hotly was he pursued that he left his carbine standing on the outside of the port hole.

He afterwards went against the Osages as they were then the main enemy, and in this expedition he was successful, bringing as trophies many scalps and several prisoners, and some females and boys, which he and his party distributed among their friends and relatives. He gave these female captives unto marriage to his fellow braves, for he also had one presented to him by the famous warrior and leader Main Pox.

He adopted an Osage boy presented him as a son, who I have seen myself, by the name of Wa-zah, who was married to a Pottawatomie woman and had several children by her. Wah-bahn-se treated this adopted son as tenderly as though he had been his own proper son.

He proved successful in every war expedition, but he said he regretted the time he wounded the horned Osage as much as he would to have proved unsuccessful in some of his war excursions.

This Osage was much spoken of on account of certain bumps or protuberances that grew on his head resembling those seen on the head of a calf before its horns appear. So he passed himself off for a monster, reascent from that family of the animal kingdom. This uncommon man after this nocturnal affray with our brave, sent him word to come and see him: he would like to make friends with him; to which our hero replied he did not wish to make friendship with the Devil. About this time, the warrior of this piece began to be highly conspicuous in war. His renown and fame as it were, spread to the South, West, and North, for at the South he had marched against the Peorias, etc.; at the West, the Pawnees, Ottawas, Osages, Kaws, and the Sioux. So he stood respected and feared by the surrounding tribes as will be seen hereafter.

He headed a party of warriors on White-River, Indiana, and in the act of capturing a provision boat very nearly lost his life. There were braves of several tribes which formed his party, viz: Sacs, Kickapoos, Menomonees, Winnebagoes, Ottawas, and some Pottawatomies. After having shot down nearly the whole crew, our hero proposed to jump into the river and make prisoners of the balance and draw the boat to shore.

So saying, in our chieftain went into the river with five or six other warriors, but being shot at by the balance of the boatmen they all got out of the water. Alone was our subject seen advancing towards the boat and dodging the arrows like a water duck, until at last he got to swimming. Some of his party, hollered to him to come back, but no heed was paid to their warning, until at last he got almost in reach of the boat, when a man jumped up and having a musket in his hands with a bayonet, stuck our brave through the upper part of his shoulder blade, and jerking backwards unfastened the blade of the arrow of steel, and while the same man was making another pass to finish our courageous chieftain he was shot dead by some brave from the bank, who saw the danger of our hero. He therefore made for the shore and the water and blood spouted from out his wound. His swimming represented the sight and noise of the travel of a distant whale. By hard work he made out to reach the edge of the water, and there laid as though lifeless, unable to help himself, quite exhausted by the loss of blood. One of his party by the name of Me-gue-un, or Quill, and his adopted Osage son, Wa-zah pulled him out, and Quill being a good war doctor applied medicines,

*'He was the strongest man in our national councils and was as a serpent in Indian diplomacy and national affairs in general and a master judge of human nature.'*

and in three days our hero was going about. Nah-k-ses was heard to say, "I'll pay the pale faces for making me sore and lame." In ten days from the time he was wounded in the shoulder, and still having his shoulder bandaged, he started to revenge himself on the pale faces, as he used to call the whites. He enlisted seven young warriors. After traveling some few days he got to a stage stand. He broke the stable door open, and seeing a large watch dog in the stable he said he made friends with him, and would not nor did not bark at him once. He got out four horses very handily, as he led them out by two; but the last three gave him much trouble and uneasiness, as they snorted and stamped the floor, making a great noise, for it appears they smelled the medicine about the person of our chieftain, or as he said he thought they knew the Indian by the scent.

After he got them out and was leading them as fast as he possibly could, he thought he heard a footstep behind, and looking around he could see a person approaching and following him in the shadow of the horses as the moon was not very high. He let the horses go and seized him by an arm and drew his butcher knife from his belt. The white man seeing this screamed out; no sooner than the cry was made the savage plunged his cold steel into his bosom. The victim sank at his feet. In an instant the scalp was taken, the chief saying loud enough to be heard by his warriors, "I did not hollor when you stuck me with your gun-knife," (meaning the bayonet.) He caught his horses and delivering them to his men told them to mount and ride with speed, for there might be danger where they were by morning. So each mounting a horse, off they galloped into the dark forest, and having lit his pipe he took the Indian lope, having named and appointed the place he should meet his young men.

Our hero now appears with his new name, which is according to the custom of his nation, and is a law among all the tribes of North America, saying, "The people will know me and always call me Wah-bahn-se," signifying the dawn of day or causer of paleness. "When I kill an enemy he turns pale, resembling the first light of the day."

His tutelary spirit was a spirit whose steps no mortal ear could hear. He said he would always take his enemy by surprise.

In 1832 the old warrior and a band of Pottawatomies and some half breeds accompanied Gen. (Henry) Dodge in the affairs with the celebrated Sac, Black Hawk. Old Wah-bahn-se was quite indignant at the low and unchristian conduct of some of the soldiery for shooting at some famished Sac prisoners who were bathing themselves in a creek, after Gen. Dodge had promised to the chiefs that they would be treated as prisoners of war. But the chief of our narrative observed to the company that the whites were more savage and inhuman than his people, and he said that those soldiers who shot the poor Sacs were cowards and like squaws, for our women only can kill prisoners.

Some years before he moved to the west one of his Osage wives ran away and he pursued her by tracking her until he came near a Sac village and lost her track. This was in Illinois; the old man thought the best way would be for him to go into town and make inquiries. So he made his way to the most respectable looking lodge, which was about one hundred feet long. Entering he asked in a stern manner and rather abruptly if they had seen an

Osage. Pausing a second or two and receiving no answer, he added, by way of explanation, "It is my wife," which caused laughter in some young men who were lying down opposite to where he stood. He stepped across the lodge, and having drawn his tomahawk from out his belt, he tapped the heads of these indecorous young men, and resuming his former position looked round for an answer. One of the chiefs of the lodge told him they had seen no such person, and the same chief addressed the young men as follows: "Do you not know that this man who spoke to you is a great man, a brave, and chief of the Pottawatomies?"

As soon as the above reprimand was administered our hero went out and resumed his pursuit without any molestation or even the thoughts of it. Had it been any other man he would have had trouble with these corrected young Sacs. And I hesitate not in saying that no other man in any tribe could have acted thus without incurring the displeasure of the whole Sac tribe; but they too well knew the fame of old Wah-bahn-se to cross his path.

Another daring circumstance was a case of some Miamies having stolen a horse from the old brave. The old man waited for an opportunity to get pay for his horse. Hearing the agent was about to pay the Miamies their annuities, he went to attend their payment. Taking with him for this enterprise Louison, of the Wabash party, and also his nephew, Che-jah-kose.

Before the enrolling of the Miami tribe he told them his errand—he told the chiefs and head men that some young men had stolen from him a horse and they must pay for it.

Some said he should go to the man that had stolen his horse and get pay from him. He said that would not do: if they did not pay him out of their annuity money he would go home and get a few young men and return immediately and take six of their horses to pay himself. He said he would not steal as they did, but would take them before their eyes. He said, "I tell you again I will take just one hundred dollars for my horse, and less will not do."

Gen. (John) Tipton, who was the agent, knowing the determined mind of the brave, advised them to pay him for his horse; for he told them that it would not do to get the old brave angry, as he might put them to more trouble than they were aware of. They therefore, reluctantly agreed to pay him.

The agent counted out the money, just one hundred dollars, and put it on the table. The Miami chief told him to take it. He replied "I will not take it," at the same time shaking his head, saying "I want you to put it in my hand," which he held on his knee. So they requested the agent to place the money into his hand from the table. As he received the money he said, "That's right; now I am well pleased. If you had not paid me you would have seen hard times." No other man in our tribe would have dared to say that.

He held a high rank and character in our nation; was much esteemed for his wisdom as a counsellor, and was highly respected and much feared. To show the high regard the tribe manifested for his bravery and character I will adduce one instance, which in my tribe is remarkable, and another circumstance of a similar nature could not probably be witnessed in several ages; and I am certain could not be found in any other tribe.

In a drinking frolic, the old veteran being by repeated insults, made angry, took a club and killed a man with whom he had been drinking, and who had abused him in an uncommon manner. After the deed was done the old brave continued his spree for several days more, after which he sobered off and demeaned himself as usual, as though nothing

*Continued, page 9*

The Year: 1892

# Letters recall Tribe's battle on land questions

4-11-1892

To Hon. S. L. Patrick  
U. S. Indian Agent  
Sir:

We, the undersigned Business Committee, for the Citizen Band of Pottawatomies residing in Oklahoma, formerly Indian Territory, respectfully protest against the mode and manner of enrollment, as follows:

1st. - Against the enrollment of any person who is not a member of the Citizen Band by birth or adoption according to the customs and usages of our band.

2nd. - Against the payment to or enrollment of any of the former members of the Citizen Band of Pottawatomies who elected to and do now reside in Kansas or elsewhere.

In offering this protest we desire to say, that the Treaty was made with the members of the Citizen Band in the Indian Territory and not with those who lived in Kansas or elsewhere. The Treaty provides for the payment of \$160,000.00 to us here in our own country. If it had been the intent of the Government or ourselves to have embraced other Indians than ourselves in said Treaty it would have been so provided.

They are not parties to the contract and whilst we do not object to their getting land, it being Government land by purchase of us, we do object to their getting our money. The money was intended for us to be used in improving our homes and getting our lands in cultivation and not to improve lands in Kansas or elsewhere.

Given under our hands this 11th day of April 1892.

Business Committee,  
Alex B. Peltier  
John Anderson  
Davis Hardin  
J. B. Pambago  
Joseph Moose

Sacred Heart, April 11th, 1892

We, the undersigned Business Committee of the Citizen Band of Pottawatomies in Oklahoma Territory hereby certify that Mary L. Moore, formerly Louisa Patell and her children are Pottawatomie Indians and that they are members of the Citizen Band of Pottawatomies and that they have lived in the Pottawatomie Country now County "B" Oklahoma for over fifteen years.

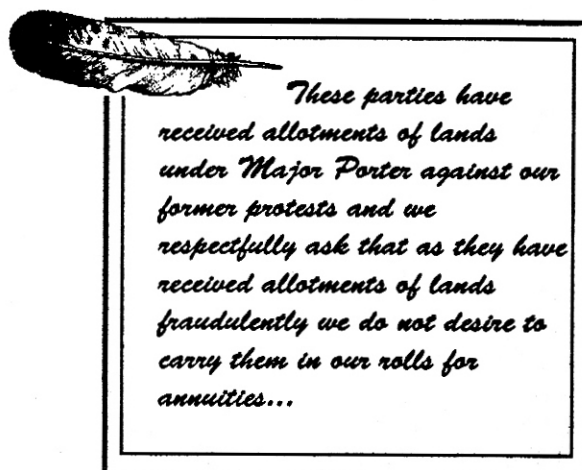
That for over seven years they have resided on the North Canadian on Section 36 and that they are entitled to be enrolled and to have land allotted to them, all of them being of Indian blood.

Alex B. Peltier  
John Anderson  
Davis Hardin  
J. B. Pambago  
Joseph Moose

April 11, 1892

Hon. S. L. Patrick  
U. S. Indian Agent  
Sir:

We, the undersigned Business Committee respectfully state that Mary L. Moore nor her children ever had any land allotted to them. That they have been for years and are now actual occupants of part of the land on the North Canadian River known now as school land, and we respectfully ask that the said land now occupied by them as a home be allotted to them as it has a house and improvements made by them previous to the agreement made with the Cherokee Commission by our tribe. And we further ask that if there is not sufficient land on said



school section for said family that land be allotted to make up the deficiency in the Kickapoo or other Indian Land soon to be thrown open to settlement.

Respectfully,  
Joseph Moose  
John Anderson  
Alex B. Peltier  
Davis Hardin  
J. B. Pambago

4-11-1892

Hon. S. L. Patrick  
U. S. Indian Agent  
Sir:

We, the undersigned Business Committee respectfully state that between Nos. 292 and 293 comes names of persons who are not members of the Citizen Band of Pottawatomies viz:

Alice Burshaw, Irwin C., Willis Jr. and Nora E. ages respectfully 29 F., 6 yrs. M., 4 yrs. M., and 1, 1/2 F., also between 380 and 381 G. L. Bertrand 12 yrs. Male, Preston Bertrand 11 yrs. M., Mary E., 9 F., and between 432 and 433 Gilbert Burshaw.

These parties have received allotments of lands under Major Porter against our former protests and we respectfully ask that as they have received allotments of lands fraudulently we do not desire to carry them in our rolls for annuities, also between 1579 to 1586 of the white family of Harriet Wilmett now Pratt who was the white step-daughter of Joseph Wilmett, also the parties included from 1620 comprising the names of Monique Muller, John Knott, Eliza Knott, Julia Henry, Nora Henry, Clarence Henry, Charles Henry, Bondwell F. Juneau, Elizabeth McKee and Lizette Theresa King, the last names appearing on the roll as we made a former protest against all of said parties when Mr. Gardner made the roll, we respectfully protest against any and all parties not members of the Citizen Band of Pottawatomies who are not members by birth or adoption or who were not adopted according to our customs and usages. We further protest against the enrollment of any members of our tribe who are adopted into other tribes and have received allotments from other tribes by intermarriage or by adoption.

Respectfully,  
Alex B. Peltier  
John Anderson  
J. B. Pambago  
Davis Hardin  
Joseph Moose

We further wish to call attention between Nos. 955 and 956 to the name of Sarah F. Cline worked up by one John Bradbury who got a superannuated old lady by the name of Mary Burnett to swear to an affidavit in her favor before N. S. Porter and under which the Department ordered Major Porter to make said allotment.

By the Committee  
(Signed) Joseph Moose, Secretary

Washington, April 3, 1886

Moses Neal, Esq.  
U. S. Indian Agent  
Sac and Fox Agency, I. T.  
Sir:

Under the 2nd Article of the Pottawatomie treaty of 1861, (12 Stats. P. 1192) there was allotted to Margaret Bushman, a Pottawatomie Indian, the E. 1/2 of the S. E. 1/4 of Sec. 33, Township 11 S R 15 East, Kansas which allotment (No. 1467) was approved by the Department March 15, 1867.

The 3rd article of this treaty provides that whenever the President shall be satisfied that any adult members of the tribe are sufficiently intelligent and prudent to control their affairs and interests, he may cause patents in fee to be issued for the lands allotted to them, but before making the application to the President they must obtain naturalization papers, &c., and make proof to the satisfaction of the Court issuing such papers, that they have adopted habits of civilized life and have been able to support themselves for five years. The supplemental treaty of 1866, (14 Stats. p. 763) extended its provisions to all adult persons of said tribe without distinction of sex, or whether heads of families or otherwise.

The 6th article of the treaty of 1867, (15 Stats. P. 533) continues in force the provisions of the treaty of 1861, with the additional provide, that, before patents shall issue, a certificate shall be necessary from the Agent and business committee that the applicant is competent to manage his own affairs. It also provides that women, who are also heads of families and single women of adult age, may become citizens in the same manner as males.

Margaret Bushman, has complied with the provisions of the treaty so far as to obtain naturalization papers, which were granted her, April 18, 1883, and transmitted to this office July 12, 1883, by U. S. Indian Agent, H. C. Linn.

I am in receipt of a letter from Agent I. W. Patrick, dated March 23, 1886, in which he reports that he has investigated the character and competency of said Margaret, and is satisfied that a patent should be issued as requested, and asks that it be issued. The business man of the Prairie Band of Pottawatomies in Kansas, he reports, are fully aware of her competency, but do not wish to act upon matters pertaining to the citizen Indians.

As the treaty requires the certificate of the Business Committee of the Pottawatomies, you are instructed to confer with the members thereof, if they have such a committee, and obtain the required certificate.

If there is no such committee in existence you will furnish an affidavit to that effect, to be filed with her application for a patent.

Margaret Bushman lives in Cass County, Michigan, and has resided there for over 10 years, and from the affidavits submitted by Agent Patrick and from other evidence before this office, I am satisfied that she is clearly entitled to a patent for the land, but as a precautionary measure and in compliance with that provision of the treaty I desire to secure the certificate of the Business Committee, as required by Department instructions of January 19, 1871, (copy herewith) and your concurrence.

I enclose, herewith, a form of certificate for the signature of the business committee, if they are satisfied of her competency, after reading the report of Agent Patrick and accompanying affidavits which are transmitted, herewith, for your information, with the request that you return them with the Certificate &c.

You will give this matter your early attention as the case has been pending before this office for a  
Continued, next page



# New assistant secretary has ambitious plans for Tribes

## Native American News Service

Eddie Brown, appointed earlier this year as Assistant Secretary of the Interior for Indian Affairs, has recently unveiled several major education, economic and tribal governance initiatives he plans to implement through the Bureau of Indian Affairs.

Brown, a Pascua Yaqui/Tohono O'odham Indian from Arizona, told members of the National Congress of American Indians in Oklahoma City recently that he will work to:

- ✓ Raise the quality of education in BIA schools by increasing funding, attracting top teachers and administrators and increasing parent involvement;

- ✓ Offer more assistance to tribes in economic development, particularly in technical assistance for loan applications, starting new businesses and developing private sector opportunities;

- ✓ Make a strong effort to carry out the intent of Public Law 638 (Indian Self-Determination Act) regulations;

- ✓ Fill key positions in the BIA which have gone vacant for extended periods;

- ✓ Use a Water Policy Council to serve as an Indian water rights work group, to identify teams for negotiating water rights which, he said, affect "every major riverbed west of the Mississippi."

But Brown acknowledged that the BIA has major problems that need to be remedied before the agency can offer the advocacy he believes it should provide for tribes.

"The BIA is facing some critical internal challenges that are crying out" to be corrected, he said. "Internal audits have been very critical" of the BIA.

Brown said all of the recent studies and audits of the federal agency "point to a greater need for more effective use of staff and resources on Indian lands." He said he has stepped into his position at a time when there are "greater demands and shrinking resources"

*"I saw new schools, wild rice enterprises, military camouflage production factories, fish hatcheries, community colleges, hospitals and nursing homes. I didn't meet with a people in despair, but I saw people living far below our national standards. I saw jails that are unfit, and rundown housing. I was told there is a great need for counseling services, jobs, Headstart, and daycare."*

available to the BIA.

Brown said he has resisted pressure to produce an immediate plan to revamp the BIA and effectively serve tribal governments. He said such a plan must be developed in consultation with tribal leaders.

To build a base for this kind of cooperative relationship, Brown said he has spent his first 100 days

talking with tribal leaders about their roles vis-a-vis the BIA regarding education, economic development and other concerns.

Brown said in the last three months he has visited 23 tribes in 12 states and has met with more than 100 tribal delegations.

"I saw new schools, wild rice enterprises, military camouflage

production factories, fish hatcheries, community colleges, hospitals and nursing homes," he said.

"I didn't meet with a people in despair," he said, adding, "but I saw people living far below our national standards. I saw jails that are unfit, and rundown housing. I was told there is a great need for counseling services, jobs, Headstart, and daycare."

Brown said one of the major challenges he faces as the BIA's top administrator is to "lift the bureaucratic curtain that has created (tribal) mistrust and frustration" with the BIA.

He said the most essential role of the BIA is to "support the positive efforts of tribal governments."

## At University of California in Berkeley

### Indian enrollments, opportunities are on rise

BERKELEY, Calif. - American Indians enrolled in the graduate schools at the University of California has risen in recent years to 50 as opportunities for financial aid have been made available to qualifying American Indian students.

"Increasing numbers of Indian and Alaska Natives are seeking graduate and professional degrees, these degrees are beyond their B. A. or B. S. as the demand for advanced training becomes a reality among Indian communities," according to program director, Felicia Hodge.

The University of California at Berkeley has one of the more dependable financial support programs of any graduate university, utilizing a Graduate Minority Program fellowship and other sources to encourage American Indian/Alaska Native student enrollment, both in-state and out-of-state.

Most of the 200 Indian students who have obtained MPH degrees through the Public Health program at Berkeley received financial assistance from the Graduate Minority Program to help them through, according to Dr. Hodge.

"Special grants are also available to Indian students working toward the Masters of Social Welfare degree at Berkeley, as well as many other professional areas," stated Hodge.

Indian graduates from Berkeley are sought by many

agencies serving Indian people. For example, more than 80 percent of the graduates in the Public Health Program have received mid-level and upper management jobs within the Indian Health Service during the last twenty years.

With greater numbers of American Indian/Alaska Native students now enrolling at Berkeley, the American Indian Graduate Program provides specialized counseling, advocacy, housing and social support. With many more married and families Indian students returning to graduate studies, they are a positive source of help and comfort to one another, noted Hodge.

Requirements for graduate school are: a baccalaureate degree from an accredited college or university; and acceptable grade point average received as an undergraduate, and; Graduate Record Examination (GRE) taken. Applications should be submitted by the deadline date of February 10, 1990 for admission, and January 5, 1990 for consideration of fellowships and/or Graduate Minority Scholarship funding. Applications received well before the deadline date have the best chance for approval.

Information regarding the various graduate programs and financial assistance can be obtained by telephoning (415) 642-3228 (collect) or writing to: American Indian Graduate Program, 140 Earl Warren Hall, University of California, Berkeley, California 94720.

# Letters from tribe spell out conflict in early 1890s

From previous page

long time.

The business committee on the 12th of November 1867, consisted of I.N. Bourassa, A. F. Navarre, Narciss Juneau, G. L. Young and Louis Vieux. The last report on the files of this office of said business committee was dated October 6, 1870, when it certified as to the competency of those then applying being the last members of the citizen party to whom patents have issued (April 15, 1871).

The committee then consisted of I. N. Bourassa, G. L. Young and E. G. Nadeau

Very respectfully,  
I. O. C. Atkins  
Commissioner

Washington, Feb. 12, 1896  
Edward L. Thomas, Esq.  
U. S. Indian Agent

Sac & Fox Agency, O. T.  
Sir:

I am in receipt of your letter of November 12, 1895, submitting for approval the names of a new business committee for the Citizen Pottawatomie Indians of Oklahoma Territory, for the present fiscal year, viz:

John Anderson  
Alex B. Peltier  
Joseph Moose  
J. B. Pambago  
Davis Hardin  
Charles Rhodd  
Stephen Neghanquit

I am at a loss to determine the specific duties and object of this committee, which I observe represents the same members as the business Committee selected in 1894 and duly approved by the Department for the purpose of aiding the Department in

the matter of conveyances of land.

If it is intended to perform the same duties as the aforesaid business committee and none others, the selection was void and of no effect, as the appointment of said committee by the Department was not for a limited period but for such time as said members gave satisfaction to the Indians and to the government. If however, this election was to represent the National business committee, as provided in some of the Pottawatomie treaties, it will be necessary, before approval of said election that a certified copy of the proceedings of the Council electing such committee be furnished stating the date of election, the number present and voting, as well as evidence of the public notice given of the meeting of said Council for said purpose.

Very respectfully,  
D. M. Browning  
Commissioner

# NATIONAL NEWS

## Horton BIA agency wants addresses

The Horton, Kansas, agency of the Bureau of Indian Affairs is trying to locate the following individuals who have an Individual Indian Account with no current address. The individual will need to contact the Horton Agency by writing to:

Bureau of Indian Affairs, Horton Agency, P.O. Box 31, Horton, KS 66439.

Rosanna Bradford - 5/02/1927

Geraldine Witt - 1/01/1948

Denna J. Maines - 4/21/1939

Karol J. Vieux

Marie Newberry Draper - 7/09/1911

Amy Newberry Howard - 2/03/1916

Ricky Mulanax - 1957

Bernard Mulanax - 1958

Raymond Mulanax - 1956

## Cavazos promises education study

U.S. Secretary of Education Lauro Cavazos told Indian educators gathered in Anchorage, Alaska, recently that he will initiate a national study on Indian education.

Further, Cavazos said he will name a special task force to analyze problems in American Indian education. He said he already has begun planning for a White House Conference on Indian Education.

Cavazos, the first education secretary to ever address the 4,000-member National Indian Education Association, said he sees the initiative as resulting in a kind of "Indian Nations at Risk" report that could serve as a catalyst for reform.

Cavazos was referring to a 1983 study of American education titled "A Nation At Risk." That study predicted dire consequences in the future of the country without major reforms in public education. The report led to sweeping changes in the nation's schools.

He expressed a strong commitment to education for those groups that historically have been left out — minorities, the poor and the disabled. He noted the high value tribal leaders placed on education when they insisted it be guaranteed in treaties negotiated with the U.S. government.

Cavazos said it is clear that federal education policies have failed Indian nations. Compounding the situation, he said, is that no comprehensive study of needs in Indian education ever has been carried out, making it more difficult to address specific problems.

He pointed out that Indian children often are caught between two federal departments (Interior and Education) operating at cross purposes. There has been a tremen-

dous waste of lives and potential of Indian people because of the failure of education, he said.

One Department of Education study revealed that American Indian/Alaska Native students have a dropout rate twice that of the general population and are much more likely to be labeled as handicapped or learning disabled, he said.

According to the 1980 census, only 8 percent of Native Americans over age 25 have completed four years of college, and three out of every four American Indian college students drop out before graduation, he said.

## Johnson Foundation boosts health care

The Robert Wood Johnson Foundation, the largest health care philanthropy in the country, has awarded more than \$2 million to 13 community health care projects run by and for Native Americans.

The grants are believed to be the first commitment by a major foundation to work directly with tribal governments.

Among those awarded grants are projects designed to prevent alcohol and drug abuse, reduce domestic violence and improve maternal and infant health among tribal populations in eight states.

Funds will support projects serving tribes in Arizona, Idaho, Minnesota, Montana, New Mexico, Oklahoma, South Dakota and Wisconsin.

## D.C. guide pinpoints points of interest

RRS Press has announced the publication of Robinson's Redbook: A Native American Guide to Washington, D.C., 1990 Edition.

Due out in November in time for the Christmas giving season, the 40-plus page guide contains over 100 entries listing contacts in the nation's Capitol that will be of interest to Native Americans and those involved in business in Washington, D.C., related to Native American affairs. It continues the popular D.C. Directory issued, until 1985, by the Phelps Stokes Fund.

Bound in a 5 1/2" x 7 1/2" format to fit into purse or briefcase, the Redbook contains the names and addresses of individuals and offices Indians often need to contact in the Nation's Capitol. It includes everyone from Bush the President of the American Indian Society of Washington, D.C. to Bush the President of the United States.

Want to know where Indians "hang out" after their work is done? The Redbook gives you what, where, when, and who to call on

area Indian "doings" like bowling and softball leagues, monthly meetings of community groups, pow wows, annual dinners, and even some "watering holes."

Did you know that there are about 50 Indian private and non-profit organizations in D.C.? They mostly do business with the government and with Indians, but Gary's is a restaurant, Red Bear Limited is a specialty craft firm, and Frankie Welch of America is a top fashion designer.

Single copies of the Redbook are \$19.95 each plus \$1.50 postage and handling. Write RRS PRESS, P.O. Box 39003, Washington, D.C. 20016 or call (202) 537-6070.

## Penn State offers Indian fellowships

Penn State is offering master's degree fellowships for American Indian students interested in special education training. The program is affiliated with Penn State's nationally recognized Native American Leadership Program.

The American Indian Special Education Teacher Training Program is designed to prepare American Indian teachers to effectively work with mentally and physically handicapped American Indian children. Seminars focusing on American Indian education are conducted in conjunction with the Native American Leadership Program.

Graduates will receive a master of education degree in special education. The course of study will involve at least a one-year commitment. After graduation, participants will be qualified for several employment opportunities, including special ed program coordinator and consultant, special ed program developer and special ed positions within the BIA.

Deadline for fall semester 1990, which begins August 1990, is April 15, 1990. Applications are now being accepted. For more information, write to Dr. Anna Gajar, Am. Ind. Special Educ. Teacher Training Program, Penn State Univ., 226B Moore Bldg., University Park, Pa., 16802, or call program office at 814/862-2284.

## Swann is Indian educator of year

Dr. Robert Swann, named the 1989 Indian Educator of the Year by the National Indian Education Association, also has been selected to serve as president of the 4,000-member organization.

Swann, a Chippewa-Cree from the Rocky Boy reservation in Montana, leads a new slate of officers that includes Stuart Tone-mah, first vice president; Royce

Kelly, second vice president; Robin Butterfield, treasurer; and Lorraine Edmo, secretary.

New NIEA board members who were elected by mail ballot and seated during the 21st Annual Conference in Anchorage, Alaska, recently include: Donna Rhodes, Creek Nation; Lorraine Edmo, Shoshone-Bannock; Barbara Abrahams, Tonawanda-Seneca; and Art Hill, Cheyenne-Arapaho. Five student board members were elected by fellow student delegates during the conference.

Outgoing board members include two-term president Ed Parisien; Karen Fenton; Marion Boushie; and Loren "Bum" Stiffarm.

Winners of the Department of Education's Exemplary Schools award for outstanding Indian education programs included: Red Lake Band of Chippewas, Red Lake, Minn.; Bay City Public Schools, Bay City, Mich.; South Bend Community School, South Bend, Ind.; Juneau School District, Juneau, Alaska; National Indian Youth Leadership Project, Gallup, N.M.; Denver Indian Preschool Project, Denver, Colo.; Moore Public Schools, Moore, Okla.; and Coweta Public Schools, Coweta, Okla.

## Jake Whitecrow is dead at 61

Jake Whitecrow, a nationally known Indian leader who unsuccessfully ran for the presidency of the National Congress of American Indians just a week earlier, died Oct. 12 following a massive heart attack. He was 61.

Whitecrow, an enrolled member of the Quapaw Tribe of Oklahoma who also had Seneca-Cayuga ancestry, suffered a heart attack at his home in Quapaw the night of Oct. 11, according to a spokesperson for the Quapaw Tribe. He was taken to a hospital in Joplin, Mo., where he died about 1:30 p.m. the following day.

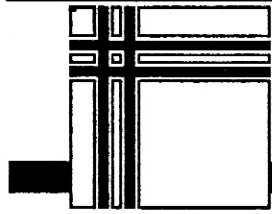
Funeral services were held Oct. 16 in Miami, Okla., with hundreds of tribal leaders and community members attending.

Whitecrow was employed as executive director of the Northeastern Oklahoma Intertribal Council. He was a former executive director of the National Indian Health Board and a former tribal chairman and Quapaw tribal council member. He had been involved in tribal government since 1953.

He was graduated from Miami High School and Oklahoma State University. He was a retired major in the U.S. Army Reserve, in which he had served 37 years.

He was survived by his wife, two sons, a daughter, his mother, a sister and two granddaughters.





# TREATIES: Wyandot treaty of 1817

*Articles of a treaty made and concluded, at the foot of the Rapids of the Miami of Lake Erie, between Lewis Cass and Duncan McArthur, commissioners of the United States, with full power and authority to hold conferences, and conclude and sign a treaty or treaties with all or any of the tribes or nations of Indians within the boundaries of the state of Ohio, of and concerning all matters interesting to the United States and the said nations of Indians on the one part; and the sachems, chiefs, and warriors, of the Wyandot, Seneca, Delaware, Shawanese, Potawatomees, Ottawas, and Chippeway, tribes of Indians.*

ART. 1. The Wyandot tribe of Indians, in consideration of the stipulations herein made on the part of the United States, do hereby forever cede to the United States the lands comprehended within the following lines and boundaries: Beginning at a point on the southern shore of lake Erie, where the present Indian boundary line intersects the same, between the mouth of Sandusky bay and the mouth of Portage river; thence, running south with said line, to the line established in the year one thousand seven hundred and ninety-five, by the treaty of Greenville, which runs from the crossing place above for Lawrence to Loramie's store; thence, westerly, with the last mentioned line, to the eastern line of the reserve at Loramie's store; thence, with the lines of said reserve, north and west, to the northwestern corner thereof; thence to the northwestern corner of the reserve on the river St. Mary's, at the head of the navigable waters thereof; thence, east, to the western bank of the St. Mary's river aforesaid; thence, down on the western bank of the said river, to the reserve at fort Wayne; thence, with the lines of the last mentioned reserve, easterly and northerly, to the north bank of the river Miami of lake Erie; thence, down on the north bank of the said river, to the western line of the land ceded to the United States by the treaty of Detroit, in the year one thousand eight hundred and seven; thence, with the said line, south, to the middle of said Miami river, opposite the mouth of the Great Auglaize river; thence, down the middle of said Miami river, and easterly with the lines of the tract ceded to the United States by the treaty of Detroit aforesaid, so far that a south line will strike the place of beginning.

ART. 2. The Potawatomy, Ottawas, and Chippeway, tribes of Indians, in consideration of the stipulations herein made on the part of the United States, do hereby forever cede to the United States the land comprehended within the following lines and boundaries: Beginning where the western line of the state of Ohio crosses the river Miami of lake Erie, which is about twenty-one miles above the mouth of the Great Auglaize river; thence, down the middle of the said Miami river, to a point north of the mouth of the Great Auglaize river; thence, with the western line of the land ceded to the United States by the treaty of Detroit, in one thousand eight hundred and seven, north forty-five miles; then, west, so far that a line south will strike the place of beginning; thence, south, to the place of beginning.

ART. 3. The Wyandot, Seneca, Delaware, Shawanese, Potawatomy, Ottawas, and Chippeway, tribes of Indians accede to the cessions mentioned in the two preceding articles.

ART. 4. In consideration of the cessions and recognitions stipulated in the three preceding articles, the United States agree to pay to the Wyandot tribe, annually, forever, the sum of four thousand dollars, in specie, at Upper Sandusky: To the Seneca tribe, annually, forever, the sum of five hundred dollars, in specie, at Lower Sandusky: To the Shawanese tribe, annually, forever, the sum of two thousand dollars, in specie, at Wapaghkonetta: To the Potawatomy tribe, annually, for the term of fifteen years, the sum of one thousand three hundred dollars, in specie, at Detroit: To the Ottawas tribe, annually, for the term of fifteen years, the sum of one thousand dollars, in specie, at Detroit: To the Chippewa tribe, annually, for the term of fifteen years, the sum of one thousand dollars, in specie, at Detroit: To the Delaware tribe, in the course of the year one thousand eight hundred and eighteen, the sum of five hundred dollars, in specie, at Wapaghkonetta, but no annuity: And the United States also agree, that all annuities due by any former treaty to the Wyandot, Shawanese, and Delaware tribes, and the annuity due by the treaty of Greenville, to the Ottawas and Chippewas tribes, shall be paid to the said tribes, respectively, in specie.

ART. 5. The schedule hereunto annexed, is to be taken and considered as part of this treaty; and the tracts herein stipulated to be granted to the Wyandot, Seneca, and Shawanese, tribes of Indians are to be granted for the use of the persons mentioned in the said schedule, agreeably to the descriptions, provisions, and limitations, therein contained.

ART. 6. The United States agree to grant, by patent, in fee simple, to Doanquod, Howoner, Rontondee, Tauiyau, Rontayau, Dawatont, Manocue, Tauiyadautauson, and Haudaunwaugh, chiefs of the Wyandot tribe, and their successors in office, chiefs of the said tribe, for the use of the persons and for the purposes mentioned in the annexed schedule, a tract of land twelve miles square, at Upper Sandusky, the center of which shall be the place where fort Ferree stands; and also a tract of one mile square, to be located where the chiefs direct, on a cranberry swamp, on Broken Sword creek, and be held for the use of the tribe.

The United States also agree to grant, by patent, in fee simple, to Tahawmadoyaw, captain Harris, Ishownusay, Joseph Tawgyou, captain Smith, Coffee-house, Running About, and Wiping stick, chiefs of the Seneca tribe of Indians, and their successors in office, chiefs of the said tribe, for the use of the persons mentioned in the annexed schedule, a tract of land to contain thirty thousand acres, beginning on the Sandusky river, at the lower corner of the section hereinafter granted to William Spicer; thence, down the said river, on the east side, with the meanders thereof at high water mark, to a point east of the mouth of Wolf creek; thence, and from the beginning, east, so far that a north line will include the quantity of thirty thousand acres aforesaid.

The United States also agree to grant, by patent, in fee simple, to Catwekesa or Black Hoof, Byaseka or Wolf, Pomthe or Walker, Shemenetoo or Big Snake, Othawakeseka or Yellow Feather, Chakalowah or the Tail's End, Penhala or John Perry, Wabepee or White Colour, chiefs of the Shawanese tribe, residing at Wapaghkonetta, and their successors in office, chiefs of the said tribe, residing there, for the use of the persons mentioned in the annexed schedule, a tract of land ten miles square, the centre of which shall be the council-house at Wapaghkonetta.

The United States also agree to grant, by patent, in fee simple, to Peeththa or Falling Tree, and to Onowaskemo or the Resolute Man, chiefs of the Shawanese tribes, residing on Hog Creek, and their successors in office, chiefs of the said tribe, residing there, for the use of the persons mentioned in the annexed schedule, a tract of land containing twenty-five square miles, which is to join the tract granted at Wapaghkonetta, and to include the Shawanese settlement on Hog creek, and to be laid off as near as possible in a square form.

The United States also agree to grant, by patent, in fee simple, to Quatawape or Captain Lewis, Shekaghkela or Turtle, Skilowa or Robin, chiefs of the Shawanese tribe of Indians residing at Lewistown, and to Mesomea or Civil John, Wakawuxsheno or the White Man, Oquasheno or Joe, and Willaquasheno or When you are tired sit down, chiefs of the Seneca tribe of Indians residing at Lewistown, and to their successors in office, chiefs of the said Shawanese and Seneca tribes, for the use of the persons mentioned in the annexed schedule, a

tract of land to contain forty-eight square miles, to begin at the intersection of the line run by Charles Roberts, in the year one thousand eight hundred and twelve, from the source of the Little Miami river to the source of the Sciota river, in pursuance of instructions from the commissioners appointed on the part of the United States, to establish the western boundary of the Virginia Military Reservation, with the Indian boundary line established by the treaty of Greenville, in one thousand seven hundred and ninety-five, from the crossings above fort Lawrence to Loramie's store, and to run from such intersection, northerly, with the first mentioned line, and westerly, with the second mentioned line, so as to include the quantity as nearly in a square form as practicable, after excluding the section of land hereinafter granted to Nancy Stewart.

There shall also be reserved for the use of the Ottawas Indians, but not granted to them, a tract of land on Blanchard's fork of the Great Auglaize river, to contain five miles square, the centre of which tract is to be where the old trace crosses the said fork, and one other tract to contain three miles square, on the Little Auglaize river, to include Oquanoxa's village.

ART. 7. And the said chiefs of their successors may, at any time they may think proper, convey to either of the persons mentioned in the said schedule, or his heirs, the quantity secured thereby to him, or may refuse so to do. But the use of the said land shall be in the said person; and after the share of any person is conveyed by the chiefs to him, he may convey the same to any person whatever. And any one entitled by the said schedule to a portion of the said land, may, at any time, convey the same to any person, by obtaining the approbation of the President of the United States, or of the person appointed by him to give such approbation. And the agent of the United States shall make an equitable partition of the said share when conveyed.

ART. 8. At the special request of the said Indians, the United States agree to grant, by patent, in fee simple, to the persons hereinafter mentioned, all of whom are connected with the said Indians, by blood or adoption, the tracts of land herein described:

To Elizabeth Whitaker, who was taken prisoner by the Wyandots, and has ever since lived among them, twelve hundred and eighty acres of land, on the west side of the Sandusky river, below Croghansville, to be laid off in a square form, as nearly as the meanders of the said river will admit, and to run an equal distance above and below the house in which the said Elizabeth Whitaker now lives.

To Robert Armstrong, who was taken prisoner by the Indians, and has ever since lived among them, and has married a Wyandot woman, one section, to contain six hundred and forty acres of land, on the west side of the Sandusky river, to begin at the place called Camp Ball, and to run up the river, with the meanders thereof, one hundred and sixty poles, and, from the beginning, down the river, with the meanders thereof, one hundred and sixty poles, and from the extremity of these lines west for quantity.

To the children of the late William M'Collock, who was killed in August, one thousand eight hundred and twelve, near Maugaugon, and who are quarter-blood Wyandot Indians, one section, to contain six hundred and forty acres of land, on the west side of the Sandusky river, adjoining the lower line of the tract hereby granted to Robert Armstrong, and extending in the same manner with and from the said river.

To John Vanmeter, who was taken prisoner by the Wyandots, and who has ever since lived among them, and has married a Seneca woman, and to his wife's three brothers, Senecas, who now reside on Honey creek, one thousand acres of land, to begin north, forty-five degrees west, one hundred and forty poles from the house in which the said John Vanmeter now lives, and to run thence, south, three hundred and twenty poles, thence, and from the beginning, east for quantity.

To Sarah Williams, Joseph Williams, and Rachel Nugent, late Rachel Williams, the said Sarah having been taken prisoner by the Indians, and ever since lived among them, and being the widow, and the said Joseph and Rachel being the children, of the late Isaac Williams, a half-blood Wyandot, one quarter section of land, to contain one hundred and sixty acres, on the east side of the Sandusky river, below Croghansville, and to include their improvements at a place called Negro Point.

To Catherine Walker, a Wyandot woman, and to John R. Walker, her son, who was wounded in the service of the United States, at the battle of Maugaugon, in one thousand eight hundred and twelve, a section of six hundred and forty acres of land each, to begin at the northwestern corner of the tract hereby granted to John Vanmeter and his wife's brothers, and to run with the line thereof, south, three hundred and twenty poles, thence, and from the beginning, east for quantity.

To Nancy Stewart, daughter of the late Shawanese chief Blue Jacket, one section of land, to contain six hundred and forty acres, on the Great Miami river below Lewistown, to include her present improvements, three quarters of the said section to be on the southeast side of the river, and one quarter on the northwest side thereof.

To the children of the late Shawanese chief captain Logan, or Spamagelabe, who fell in the service of the United States during the late war, one section of land, to contain six hundred and forty acres, on the east side of the Great Auglaize river, adjoining the lower line of the grant of ten miles at Wapaghkonetta and the said river.

To Anthony Shane, a half blood Ottawa Indian, one section of land, to contain six hundred and forty acres, on the east side of the river St. Mary's, and to begin opposite the house in which said Shane now lives, thence, up the river, with the meanders thereof, one hundred and sixty poles, and from the beginning down the river, with the meanders thereof, one hundred and sixty poles, and from the extremity of the said lines east for quantity.

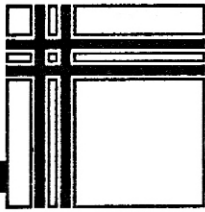
To James M'Pherson, who was taken prisoner by the Indians, and has ever since lived among them, one section of land, to contain six hundred and forty acres, in a square form, adjoining the northern or western line of the grant of forty-eight miles at Lewistown, at such place as he may think proper to locate the same.

To Horonu, or the Cherokee Boy, a Wyandot chief, a section of land, to contain six hundred and forty acres, on the Sandusky river, to be laid off in a square form, and to include his improvements.

To Alexander D. Godfroy and Richard Godfroy, adopted children of the Potawatomy tribe, and at their special request, one section of land, to contain six hundred and forty acres, in the tract of country herein ceded to the United States by the Potawatomy, Ottawas, and Chippewas, tribes, to be located by them, the said Alexander and Richard, after the said tract shall have been surveyed.

To Sawendebans, or the Yellow Hair, or Peter Minor, an adopted son of Tondagaie, or the Dog, and at the special request of the Ottawas, out of the tract reserved by the treaty of Detroit, in one thousand eight hundred and seven, above Roche de Boeuf, at the village of the said Dog, a section of land, to contain six hundred and forty acres, to be located in a square form, on the

Continued, next page



# TREATIES: *Continued from previous page*

north side of the Miami, at the Wolf Rapid.

ART. 9. The United States engage to appoint an agent, to reside among or near the Wyandots, to aid them in the protection of their persons and property, to manage their intercourse with the government and citizens of the United States, and to discharge the duties which commonly appertain to the office of Indian agent; and the same agent is to execute the same duties for the Senecas and Delawares on the Sandusky river. And an agent for similar purposes, and vested with similar powers, shall be appointed, to reside among or near the Shawnese, whose agency shall include the reservations at Wapaghkonetta, at Lewistown, at Hog creek, and at Blanchard's creek. And one mile square shall be reserved at Malake for the use of the agent for the Shawnese.

And the agent for the Wyandots and Senecas shall occupy such land in the grant at Upper Sandusky, as may be necessary for him and the persons attached to the agency.

ART. 10. The United States engage to erect a saw-mill and a grist-mill, upon some proper part of the Wyandot reservation, for their use, and to provide and maintain a blacksmith, for the use of the Wyandots and Senecas, upon the reservation of the Wyandots, and another blacksmith, for the use of the Indians at Wapaghkonetta, Hog creek, and Lewistown.

ART. 11. The stipulations contained in the treaty of Greenville, relative to the right of the Indians to hunt upon the land hereby ceded, while it continues the property of the United States, shall apply to this treaty; and the Indians shall, for the same term, enjoy the privilege of making sugar upon the same land, committing no unnecessary waste upon the trees.

ART. 12. The United States engage to pay, in the course of the year one thousand eight hundred and eighteen, the amount of the damages which were assessed by the authority of the secretary of war, in favor of several tribes and individuals of the Indians, who adhered to the cause of the United States during the late war with Great Britain, and whose property was, in consequence of such adherence, injured or destroyed. And it is agreed, that the sums thus assessed shall be paid in specie, at the places, and to the tribes or individuals, hereinafter mentioned, being in conformity with the said assessment; that is to say:

To the Wyandots, at Upper Sandusky, four thousand three hundred and nineteen dollars and thirty-nine cents.

To the Senecas, at Lower Sandusky, three thousand nine hundred and eighty-nine dollars and twenty-four cents.

To the Indians at Lewis and Scoutashs towns, twelve hundred and twenty-seven dollars and fifty cents.

To the Delawares, for the use of the Indians who suffered losses at Greentown and at Jerome's town, three thousand nine hundred and fifty-six dollars and fifty cents, to be paid at Wapaghkonetta.

To the representatives of Hembis, a Delaware Indian, three hundred and forty-eight dollars and fifty cents, to be paid at Wapaghkonetta.

To the Shawnese, an additional sum of four hundred and twenty dollars, to be paid at Wapaghkonetta.

To the Senecas, an additional sum of two hundred and nineteen dollars, to be paid at Wapaghkonetta.

ART. 13. And whereas the sum of two thousand five hundred dollars has been paid by the United States to the Shawnese, being one half of five years' annuities due by the treaty of fort Industry, and whereas the Wyandots contend that the whole of the annuity secured by that treaty is to be paid to them, and a few persons of the Shawnese and Senecas tribes; now, therefore, the commissioners of the United States, believing that the construction given by the Wyandots to the said treaty is correct, engage that the United States shall pay to the said Wyandot tribe in specie, in the course of the year one thousand eight hundred and eighteen, the said sum of two thousand five hundred dollars.

ART. 14. The United States reserve to the proper authority, the right to make roads through any part of the land granted or reserved by this treaty; and also to the different agents, the right of establishing taverns and ferries for the accommodation of travellers, should the same be found necessary.

ART. 15. The tracts of land herein granted to the chiefs, for the use of the Wyandot, Shawnese, Seneca, and Delaware Indians, and the reserve for the Ottawa Indians, shall not be liable to taxes of any kind so long as such land continues the property of the said Indians.

ART. 16. Some of the Ottawa, Chippewa, and Potawatomy tribes, being attached to the Catholic religion, and believing they may wish some of their children hereafter educated, do grant to the rector of the Catholic church of St. Anne of Detroit, for the use of the said church, and to the corporation of the college at Detroit, for the use of the said college, to be retained or sold, as the said rector and corporation may judge expedient, each, one half of three sections of land, to contain six hundred and forty acres, on the river Raisin, at a place called Macon; and three sections of land not yet located, which tracts were reserved, for the use of the said Indians, by the treaty of Detroit, in one thousand eight hundred and seven; and the superintendent of Indian affairs, in the territory of Michigan, is authorized, on the part of the said Indians, to select the said tracts of land.

ART. 17. The United States engage to pay to any of the Indians, the value of any improvements which they may be obliged to abandon in consequence of the lines established by this treaty.

ART. 18. The Delaware tribe of Indians, in consideration of the stipulations herein made on the part of the United States, do hereby forever cede to the United States all the claim which they have to the thirteen sections of land reserved for the use of certain persons of their tribe, by the second section of the act of congress, passed March the third, one thousand eight hundred and seven, providing for the disposal of the lands of the United States between the United States Military Tract and the Connecticut Reserve, and the lands of the United States between the Cincinnati and Vincennes districts.

ART. 19. the United States agree to grant, by patent, in fee simple, to Jeeshawau, or James Armstrong, and to Sanondoyourayquaw, or Silas Armstrong, chiefs of the Delaware Indians, living on the Sandusky waters, and their successors in office, chiefs of the said tribe, for the use of the persons mentioned in the annexed schedule, in the same manner, and subject to the same conditions, provisions, and limitations, as is hereinbefore provided for the lands granted to the Wyandot, Seneca, and Shawnese, Indians, a tract of land, to contain nine square miles, to join the tract granted to the Wyandots of twelve miles square, to be laid off as nearly in a square form as practicable, and to include Captain Pipe's village.

ART. 20. The United States also agree to grant, by patent, to the chiefs of the Ottawas tribe of Indians, for the use of the said tribe, a tract of land, to contain thirty-four square miles, to be laid out as nearly in a square form as practicable, not interfering with the lines of the tracts reserved by the treaty of Greenville on the south side of the Miami river of Lake Erie, and to

include Tushquegan, or M'Carty's village; which tracts, thus granted, shall be held by the said tribe, upon the usual conditions of Indian reservations, as though no patent were issued.

ART. 21. This treaty shall take effect, and be obligatory on the contracting parties, as soon as the same shall have been ratified by the President of the United States, by and with the advice and consent of the Senate thereof.

In testimony whereof, the said Lewis Cass and Duncan McArthur, commissioners as aforesaid, and the sachems, chiefs, and warriors, of the Wyandot, Seneca, Shawnee, Delaware, Pattawatima, Ottawa, and Chippewa tribes of Indians, have hereunto set their hands, at the foot of the rapids of the Miami of lake Erie, this twenty-ninth day of September, in the year of our Lord one thousand eight hundred and seventeen.

Lewis Cass,  
Duncan McArthur.

In presence of-  
Wm. Turner, secretary to the commissioners,  
John Johnson, Indian agent  
B.F. Stickney, Indian agent,  
W. Knaggs, Indian agent,  
G. Godfroy, Indian agent,  
R.A. Forsyth, jr., secretary Indian department.

Sworn Interpreters:  
William Conner,  
H.W. Walker,  
John R. Walker,  
James McPherson,  
F. Duchouquet,  
A. Shane,  
J. B. Beaugrand,  
Peter Ryley,  
Henry I. Hunt,  
Jos. Vance,  
Jonathan Leslie,  
Alvan Coe,  
John Gunn,  
C.L. Cass, lieutenant U.S. Army.

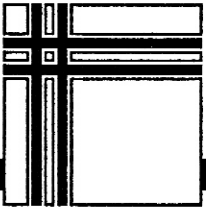
Chippewas:  
Wasonnezo, his x mark, [L.S.]  
Okemance, or the Young Chief, his x mark, [L.S.]  
Shingux or Cedar, his x mark, [L.S.]  
Kinobee, his x mark, [L.S.]  
Chinguagin, his x mark [L.S.]  
Sheganack, or Black Bird, his x mark, [L.S.]  
Mintougaboit, or the Devil Standing, his x mark, [L.S.]  
Wastuau, his x mark, [L.S.]  
Penquam, his x mark, [L.S.]  
Chemokcomon, or American his x mark, [L.S.]  
Papecumegat, his x mark, [L.S.]  
Matwaash, or Heard Fell down, his x mark,  
Potaquam, his x mark, [L.S.]  
Pensweguesic, the Jay Bird, his x mark, [L.S.]  
Weabskewen, or the white Man, his x mark, [L.S.]  
Waynoce, his x mark, [L.S.]

Pattawatimas:  
Metea, his x mark, [L.S.]  
Wynemac, his x mark, [L.S.]  
Wynemakons, or the Front, his x mark, [L.S.]  
Ocheackabee, his x mark, [L.S.]  
Conge, his x mark, [L.S.]  
Wankeway, his x mark, [L.S.]  
Perish, his x mark, [L.S.]  
Tonguish, his x mark, [L.S.]  
Papekitcha, or Flat Belly, his x mark, [L.S.]  
Medomin, or Corn, his x mark, [L.S.]  
Saguemai, or Musketo, his x mark, [L.S.]  
Waweacee, or Full Moon, his x mark, [L.S.]  
Ninwichemon, his x mark, [L.S.]  
Missenonsai, his x mark, [L.S.]  
Waysagua, his x mark, [L.S.]  
Nannanmee, his x mark, [L.S.]  
Nannanseku, his x mark, [L.S.]  
Meanqueah, his x mark, [L.S.]  
Wawenoke, his x mark, [L.S.]  
Ashenekazo, his x mark, [L.S.]  
Nanemucskuck, his x mark, [L.S.]  
Ashkebee, his x mark, [L.S.]  
Makotai, his x mark, [L.S.]  
Wabinsheaway, White Elk, his x mark, [L.S.]  
Gabriel, or Gabiniai, his x mark, [L.S.]  
Waishit, his x mark, [L.S.]  
Naonquay, his x mark, [L.S.]  
Meshawgonay, his x mark, [L.S.]  
Nitchetash, his x mark, [L.S.]  
Skewbicack, his x mark, [L.S.]  
Chechalk, or Crane, his x mark, [L.S.]

Wyandots:

Continued, next page





# TREATIES: *Continued from previous page*

Dunquad, or Half King, his x mark, [L.S.]  
 Runtunda, or War Pole, his x mark, [L.S.]  
 Aronuc, or Cherokee Boy, his x mark, [L.S.]  
 T. Aruntue, or Between the legs, his x mark, [L.S.]  
 D. Wottondt, or John Hicks, his x mark, [L.S.]  
 T. Undetaso, or Geo. Punch, his x mark, [L.S.]  
 Menonkue, or Thomas, his x mark, [L.S.]  
 Undauwau, or Matthews, his x mark, [L.S.]

## Delawares:

Kithtuwheland, or Anderson, his x mark, [L.S.]  
 Punchhuck, or Capt. Beaver, his x mark, [L.S.]  
 Tahunqecoppl, or Capt. Pipe, his x mark, [L.S.]  
 Clamatonockis, his x mark, [L.S.]  
 Aweallesa, or whirlwind, his x mark, [L.S.]

## Shawanees:

Catewekesa, or Black Hoof, his x mark, [L.S.]  
 Biaseka, or Wolf, his x mark, [L.S.]  
 Pomthe, or Walker, his x mark, [L.S.]  
 Shemenetu, or Big Snake, his x mark, [L.S.]  
 Chacalowa, or Tail's End, his x mark, [L.S.]  
 Pemthata, or Perry, his x mark, [L.S.]  
 Othawakeska, or Yellow feather, his x mark, [L.S.]  
 Wawathethaka, or Capt. Reed, his x mark, [L.S.]  
 Tecumtequa, his x mark, [L.S.]  
 Quitewe, War Chief, his x mark,  
 Cheacksa, or Captain Tom, his x mark, [L.S.]  
 Quitawepea, or Captain Lewis, his x mark, [L.S.]

## Senecas:

Methomea, or Civil John, his x mark, [L.S.]  
 Sacourewcegha, or Whipping Stick, his x mark, [L.S.]  
 Shekoghkell, or Big Turtle, his x mark, [L.S.]  
 Aquasheno, or Joe, his x mark, [L.S.]  
 Wakenauceno, White Man, his x mark, [L.S.]  
 Samendue, or Captain Sigore, his x mark, [L.S.]  
 Skilleway, or Robbin, his x mark, [L.S.]  
 Dasquorunt, his x mark, [L.S.]

## Ottawas:

Tontagimi, or the Dog, his x mark, [L.S.]  
 Misquegin, McCarty, his x mark, [L.S.]  
 Pontiac, his x mark, [L.S.]  
 Oquenoxas, his x mark, [L.S.]  
 Tashmwa, his x mark, [L.S.]  
 Nowkesick, his x mark, [L.S.]  
 Wabekeighke, his x mark, [L.S.]  
 Kinewaba, his x mark, [L.S.]  
 Twaatum, his x mark, [L.S.]  
 Supay, his x mark, [L.S.]  
 Nashkema, his x mark, [L.S.]  
 Kuwashewon, his x mark, [L.S.]  
 Kusha, his x mark, [L.S.]

*Schedule referred to in the foregoing treaty, and to be taken and considered as part thereof.*

Three sections, to contain six hundred and forty acres each, are to be reserved out of the tract of twelve miles square to be granted to the Wyandots. One of the said sections is to be appropriated to the use of a missionary, one for the support of schools, and one for the support of mechanics, and to be under the direction of the chiefs. Two sections, of six hundred and forty acres each, are to be granted to each of the following persons, being the chief of the Wyandot tribe, and his six counsellors, namely: Doouquod, or half king; Routoudu, or Warpole; Tauyaurontoyou, or Between the logs; Dawatout, or John Hicks; Manocue, or Thomas; Sauyoudautausaw, or George Ruuh; and Hawdowuwaught, or Matthews.

And, after deducting the fifteen sections thus to be disposed of, the residue of the said tract of twelve miles square is to be equally divided among the following persons, namely: Hoocue, Roudootouk, Mahoma, Naatoua, Mautanawto, Maurunquaws, Naynuhanky, Abrrn. Williams, sen. Squautaug, Tauyouranuta, Tahawqueuows, Dasharows, Trayhetou, Hawtooyou, Maydounaytove, Neudooslau, Deecalrautousay, Houtooyemaugh, Datoowawna, Matsaye-aanyoure, James Ranken, Sentumass, Tahautoshowweda, Madudara, Shaudauaye, Shamedeesay, Sommodowot, Mautau, Nawsottomaugh, Maurawskinquaws, Tawtoolowme, Shawdouyeayourou, Showweno, Dashoree, Sennewdorow, Toaytooraw, Mawskattaugh, Tahawshodeueya, Haunarawreudee, Shaumou, Tawyaurontoreyea, Roumelay, Nadocays, Carryumanduetaugh, Bigarms, Madonrawcays, Haurauoot, Syhrundash, Tahorowtsemdee, Roosayn, Dautoresay, Nashawtoomous, Skawduutoutee, Sanorowsha, Nautennee, Youausha, Aumatourow, Ohoutautoon, Tawyougaustayou, Sootontereee, Dootooau, Hawreewaucudee, Yourahatsa, Towntoreshaw, Syuwewatu=augh, Cauyou, Omitzteshaw, Gausawaugh, Skashowaysquaw, Mawdovdoo, Narowayshaus, Nawcatay, Isuhowhayeatu, Mytaousha, Tauoodowma, Youhreo, George Williams, Oharvatoy, Saharossor, Isaac Williams, Squindatee, Mayeatohot, Lewis Coon, Isatouque or John Coon, Tawaumanocay or E. Wright, Owawtatuu, Isontraudee, Tomatsahoss, Sarrahoss, Tauyoureehoryeow, Saudotoss, Toworordu or Big Ears, Tauomatsarau, Tahoroudoyou or Two, Daureehau, Dauoreenu, Trautohauweetough, Yourowquains or the widow of the Crane, Caunaytoma, Hottomorrow, Taweesho, Dauquasay, Toumou, Hoogaudoorow, Newdeetoutow, Dawhowhouk, Daushouteehawk, Sawaronuis, Norrorow, Tawwass, Tawreroons, Neshastay, Toharrautough, Taurowtotucawaa, Youshindauyato, Taosanays, Sadowerrais, Isanowtowtoug or Fox Widow, Sauratoudo or William Zane, Hayanoise or Ebenezer Zane, Mawcasharow or widow M'Culloch, Susannah, Teshawtaugh, Bawews, Tqmataurank, Razor, Rahisais,

Cudeetore, Shawnetarew, Tatrarow, Cuqua, Yourowon, Sauyounaoskra, Tanorawayout, Howcuquawdorow, Gooyeamee, Cautsaqua, Maudamu, Sanoreeshoc, Hauleeyeatousay, Gearoohee, Matoskrawtoug, Dawweeshoe, Sawyourawot, Nacudseoranaaurayk, Youronurays, Scoutash, Serroymuch, Hoondeshotch, Ishuskeah, Dusharraw, Ondewaus, Duyewtale, Rouetyoutacolo, Hoonorowoutacob, Hownorowduro, Nawanaunonelo, Tolhomanona, Chiyamik, Tyteakwheunohale, Aushewhowole, Schowondashres, Mondushawquaw, Tayoudrakele, Giveriahes, Sootreeshuskoh, Suyouturaw, Tiudee, Tahorrowhoquaw, Irahkasquaw, Ishoreameusuwat, Curoweyottell, Noriyettete, Siyarech, Testeatete.

The thirty thousand acres for the Senecas upon the Sandusky river, is to be equally divided among the following persons, namely: Syuwasautau, Nawwene, Joseph, Iseumetaugh or Picking up a club, Orawhaotodie or Turn over, Saudaurous or Split the river, Tahowtoorains or Jo Smea, Ispomduare Yellow-bay, Dashowrowramou or Drifting sand, Hauautounasquas, Hamyautuhow, Tshocayn, Howdautauyao or King George, Standing Bones, Cyahaga or Fisher, Suthemoore, Red Skin, Mentautechoore, Hyanashraman or Knife in his hand, Running About, John Smith, Carrying the Basket, Cauwauay or Striking, Rewauyeato or Carrying the news, Half up the Hill, Trowyoudoys or G. Hunter, Spike Buck, Caugooshow or Clearing up, Mark on his Hip, Captain Hams, Isetaune or Crying often, Taunerowyea or Two companies, Haudonwauays or Stripping the river, Isohauhasay or Tall chief, Tahowmandoyou, Howyouway or Paddling, Clouding up, Youwautowtoyau or Burnt his body, Shetouyouwee or Sweet foot, Tauhaugainstoany or Holding his hand about, Oharrawtodee or Turning over, Haucaumarout, Sarrowsauismatare or Striking sword, Sadudeto, Oshoutoy or Burning berry, Hard Hickery, Curetsctetau, Youronocay or Isaac, Youtradowwonlee, Newtauyaro, Tayouonte or Old foot, Taosanetee, Syunout or Give it to her, Doonstough or hunch on his forehead, Tyaudusout or Joshua Hendricks, Taushaushaurow or Cross the arms, Henry, Youwaydaueya or the Island, Armstrong, Shake the Ground, His Neck Down, Youheno, Towotoyoudo or Looking at her, Captain Smith, Tobacco, Standing Stone, Ronunaise or Wiping stick, Tarsduhatse or Large bones, Hamanchagave, House Fly or Maggot, Roudouma or Sap running, Big Belt, Cat Bone, Sammy, Taongauats or Round the point, Ramuye or Hold the sky, Mentoududu, Hownotant, Slippery nose, Tauslowquowsay or Twenty wives, Hoogaurow or Mad man, Coffee-house, Long Hair.

The tract of ten miles square at Wapaghkonetta is to be equally divided among the following persons, namely: The Black Hoof, Pomthe or Walker, Piaseka or Wolf, Shemenutu or Snake, Othawakese or Yellow Feather, Penethata or Perry; Chacalaway or the End of the tail, Quitawee or War chief, Sachachewa, Wasewweela, Waseweela or Bright horn, Othawsa or Yellow, Tepetoseka, Caneshemo, Newabetucka, Cawasesucka, Thokutchema, Setakosheka, Topee or James Saunders, Meshenewa, Tatiap, Pokechaw, Alawaymotakah, Lalloway or Perry, Wabemee, Nemekoshe, Nenepemshequa or Cornstalk, Sheshe, Shawabaghke, Naneskaka, Thakoska or David M'Nair, Skapakake, Shapoquata, Peapakseka, Quaghuona, Quotowame, Nitasheka, Thakaska or Spy buck, Pekathcheseka, Tewaskoota or James Blue Jacket, Calawesa, Quaho, Kaketchheka or W. Perry, Swapee, Peektoo or Davy Baker, Skokapowa or George M'Dougall, Chepakosa, Shemay or Sam, Chiakoska or Captain Tom, General Wayne, Thaway, Othawee, Weeasesaka or Captain Reed, Lewaytake, Tegoshea or George, Skekacumsheka, Wesheshemo, Mawenatcheka, Quashke, Thaswa, Baptieute, Waywalapee, Peshequkame, Chakalakee or Tome, Keywaypce, Egotacumshequa, Wabepee, Aquashequa, Pemotah, Nepaho, Takepee, toposheka, Lathawanomo, Sowaghkoto or Yellow clouds, Meenkesheka, Asheseka, Ochipway, Thapaeka, Chakata, Nakachea, Thathouakata, Paytokothe, Palaske, Shesheloo, Quanaqua, Kalkoo, Toghsheka, Captowa, Ethowakosee, Quaquesha, Capea, Thakathcheway, The man going up hill, Magotha, Tecumtequa, Setepakotha, Kekentha, Shiatwa, Shiabwasson, Koghkela, Akopee or a Heap of any thing, Lamotothe, Kesha, Pankoor, Peitehthator or Peter, Metchepeleh, Capeah, Shwoagame, Wawaleepesheka, Meewensheka, Nanemepahtoo or Trotter, Pamitchepetoo, Chalequa, Tete, Lesheshe, Nawabasheka or white feather, Skepakeskeshe, Tenakee, Shemaka, Pasheto, Thiatcheto, Metchemetche, Chacowa, Lawathska, Potchetee or the Man without a tail, Awabaneshkaw, Patcoma, Lamakesheka, Papashow, Weathaksheka, Pewaypee, Totah, Canaqua, Skepakutcheka, Welvies, Kitahoe, Neentakoshe, Oshaishe, Chilosee, Quillaisha, Mawethaque, Akepee, Quelenee. The tract of five miles square, at Hog creek, is to be equally divided among the following persons namely: Peeththa, Onowashim, Pematheywa, Wabeke-sheke, Leeson, Pohcaywese, Shemagaushe, Nehquakhucka, Papaskootepa, Meamepetoo, Welawenaka, Petiska, Ketuckepe, Lawitchetee, Eqaumee, Chanacke, Jose, Lanawytucka, Shawaynaka, Wawatashewa, Ketaksosa, Shashekopeah, Lakose, Quinaska.

The tract of forty-eight square miles, including Lewistown, is to be equally divided among the following persons, namely: Shawnoese-Colonel Lewis, Polly Kizer, Theueteseepuah or Weed, Calossete, Vamauweke, Waucumsee, Skitlewa, Nayabepe, Wosheta, Nopamago, Willesque, Salock, Walathe, Silversmith, Siatha, Toseluo, Jemmy M'Donald, Jackson, Mohawk Thomas, Silverheels, Hohn, Wewachee, Cassic, Atshena, Frenchman, Squesenau, Goohunt, Manwealte, Walisee, Billy, Thawwamee, Wopsquitty, Naywale, Big Turtle, Nola-wat, Nawalippa, Razor, Blue, Tick, Nerer, Falling Star, Hale Clock, Hisoscock, Essquaseeto, Geore, Nuussome, Sauhonoe, Joseph, Scotowe, Battease, Crow, Shilling, Scotta, Nowpour, Nanewah, Quemauto, Snife, Captain, Taudetes, Sonrise, Sowget, Desha, Lettle Lewis, Jacquis, Tonaout, Swaunacour, General, Cussaboll, Bald, Crooked Stick, Wespata, Newasa, Garter, Porcupine, Pocaloche, Wocheque, Sawquaha, Enata, Panther, Colesetos, Joe. Senecas-Civil John, Wild Duck, Tall Man, Molasses, Ash, Nahanexa, Tasauk, Agusquenah, Roughleg, Quequesaw, Playful, Hairlip, Sieutintue, Hillnepewayatuska, Tauhunsequa, Nynoh, Suchusque, Leemutque, Treuse, Sequate, Caumecus, Scowneti, Tocondusque, Conhowdat-waw, Cowista, Nequatren, Cowhoussted, Gillwas, Axtaea, conawwehow, Sutteasee, Kiahoot, Crane, Silver, Bysaw, Crayfiste, Woolyhead, Conundahaw, Shacosay, Coindos, Hutchequa, Nayau, Connodose, Coneseta, Neslauata, Owl, Couauka, Cocheco, Couewash, Sinne-cowachekowe or Leek.

The tract of three miles square for the Delaware Indians, adjoining the tract of twelve miles square upon the Sandusky river, is to be equally divided among the following persons, namely: captain Pipe, Zeshauau or James Armstrong, Mahowtoo or John Armstrong, Sanow-doyeasquaw or Silas Armstrong, Teorow or Black Raccoon, Hawdorowwatistie or Billy Montour, Buck Wheat, William Dondee, Thomas Lyons, Johnny Cake, Captain Wolf, Isaac Hill, John Hill, Tishatahoones or widow Armstrong, Ayenucere, Hoomarurow or John Ming, Youdorast.

Lewis Cass,  
 Duncan McArthur,  
 Commissioners.

# HOW-NI-KAN

## PEOPLE OF THE FIRE

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## Wah-bahn-se — Continued from page 9

more than ordinary had happened.

The relatives of the murdered man buried their dead in perfect silence, and they never opened their mouths about the murder to the old warrior, nor did he ever make any atonement or restitution whatever.

He said he never was questioned for his deed until the time he was relating the circumstances, nor ever expected to be troubled about it while he lived.

This biography is rather desultory, but my aim is to have embraced in it all his principal adventures and the most remarkable actions of our hero's life. They are not given in due order of time for this is counteracted by the fact that I have tried to write them in the order they were told to me by the celebrated individual himself, for to the natives dates are of little consequence so long as they get the circumstances, actions and facts.

He was assiduous and persevering in all his undertakings. His motto was never to turn back from any point of the compass after he had set his face.

Tecumseh having heard and learned the decisive character of our brave, induced the great British Indian to make a league with Wah-bahn-se, which was this, that our hero should do his best to raise an army, or rather parties, to the amount of one thousand by way of reinforcement to the war party of Tecumseh in the year 1813.

While Wah-bahn-se was raising forces from the several allied tribes, before the day of their march, he heard of the death of the Shawnee general. He said he was not very sorry to hear of it, for he did not like the politics of Tecumseh: he was too much for fighting, adding that he never looked at the caused of war, whether they were good or bad, it made no difference; he would always fight.

In council our chieftain was coming: he was shrewd, reserved, and extremely cautious in conclusions and decisions. These qualities made him a first rate diplomatist in treaty making. There never were sufficient barriers in his way to thwart him from executing any projects he might have in view.

In 1836 he visited the Federal City, accompanied by a half Chippewa and Ottawa chief, and the writer of this as interpreter.

It was late in the fall when he proposed to make his eastern tour, money was not easy to procure, and endeavors were made by the agents and friends to dissuade him from his intention; still he said he would go if he had to go on foot. While we were thinking it was a hopeless case to raise any money for our expenses, I got a small loan from Mr. Peter Long Lois, Senr. He appeared to me all persever-

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ance. When we had proposed to our agent to let us have money he told us he had no funds out of which he could let us have any money for that purpose, and advised the old warrior to wait until the summer following, and in the mean time he would write and ask for orders to take him there. The old chief answered, "I do not belong to our great father. I have made up my mind: I want to see him this winter."

We started from Logansport and passed Indianapolis, it being bad weather and bad roads: stages breaking down. We frequently had to travel on foot. The old brave stood it as well as any in the company. After many days of tedious traveling we reached Washington City. I must say here that the old warrior was treated very kindly by the citizens of the States we passed through.

He had an interview with the great and celebrated Indian fighter, (Andrew) Jackson, who was then President of the United States. Wah-bahn-se addressed the Executive of the Union as brother brave and warrior, as the President kindly shook hands with him and treated him very friendly. The old Indian warrior was also much pleased to meet Gen. (Lewis) Cass, the then Secretary of War, whom he well knew.

He visited the city on business for his nation, but could not effect anything of much importance.

On our return through the State of Ohio the stage upset, but fortunately injured no one seriously. Our old hero got out last and asked if his grand child (meaning his interpreter) was hurt bad. I had my face pretty badly bruised, and said I would have got mad and killed and scalped that driver, for we were turned over almost in a level road, had it not been that the stage had a penchant to one side and we had objected to ride therein.

He visited the Federal City the second time on national business with a delegation from the Council Bluffs (in November, 1845), though he was now upwards of ninety (eighty?) years of age. He and the delegation laid the basis of the treaty made in June, 1846.

He being old and quite infirm from wounds he had received which proved unpleasant and an-

nnoyed him greatly and the stage turning over with him brought on a fever which being augmented caused his death before he could reach home. He bore his sufferings like a stoic philosopher.

His death was a shock to the whole nation-it had seemed as though he never was to die, by his calculations and the sayings of the people.

He was the strongest man in our national councils, and was as a serpent in Indian diplomacy and national affairs in general, and a master judge of human nature. He always manifested a desire to say to me frequently that he thought he could run as light and as actively as any young man in an attack on the enemy.

He related a story concerning his wives one day as unconcerned as though it had been an every day transaction of his wigwam. He had two wives and both were Osage women. One, the oldest, got mule contrary and he ordered his youngest wife to take a hatchet and kill her the first blow. He said, "if you do not kill her the first blow I will kill you." The ordered wife did as she was bid and knocked her brains out, fairly besmearing them and their bed. Wah-bahn-se said "I was very foolish for having her killed, for I gave ten horses for her." This wife who was killed had been presented to him by some brave, I believe it was Main Pox, and when that is the case they have to make a return as they call it, by making a large present to the donor, in horses, etc.

This old chief was a grand medicine, or sort of Mason or Mda. The members of this society have considerable respect paid them on account of the art, and it is hard to tell what it really is; but we do know that they have many ceremonies in their lodge, and we cannot induce the meanest member to betray the first secret though he be inebriated to excess.

Wah-bahn-se was a good liver. He had several wagons, cattle, and about forty head of horses, and a large amount of moveable chattels.

At his death he had a son by his Osage wife. The young man resembled his distinguished old father in stature and physiognomy, and was, like him, rather given to silence. But being of Osage origin he had a curb upon him which marred and depressed his corporal and mental parts. He could not like the Roman boast "I am one of you" or "I am a Pottawatamie" He died a few years after his father, having never acted as a public man, nor did he ever attend any war party.

Wah-bahn-se went to war against nearly all the tribes of the north and made three expeditions against the Osages, always returning with scalps and at one time forty prisoners.